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ABSTRACT

This report is the response of New York City to the report of the Mayor's Commission on Hispanic Concerns. After reviewing the Commission's report, the city put various mechanisms in place to address the concerns and implement the recommendations needed to improve the life of Hispanic New Yorkers. An important need expressed by the Commission was up-to-date information on Hispanics. A system of data gathering and release was implemented that should culminate each year in an annual report on Hispanic concerns. There was a commitment from the Mayor's office to keep an ongoing dialogue with Hispanic leadership. Other city initiatives are outlined in the following areas: (1) education; (2) economic development; (3) housing; (4) the Hispanic public benefit corporation; (5) private sector employment; (6) employment in city government; (7) health; (8) criminal justice; (9) city services; and (10) city language services. (VM)

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City of New York

City Response to the Report of the Mayor's Commission On Hispanic Concerns

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Edward I. Koch
Mayor

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THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

March 9, 1987

Mr. Edgardo Vazquez
Chairman
Mayor's Commission on
Hispanic Concerns
c/o Banco Popular de Puerto Rico
7 West 51 Street, 2nd Floor
New York, NY 10019

Dear Edgardo:

I am pleased to forward to you and members of the Commission on Hispanic Concerns the City's response to the Commission's Report.

You and your colleagues have performed an invaluable public service. You have eloquently documented the needs, frustrations, aspirations and pride of the City's Hispanic population. Reading your Commission's report convinced me that the City must redouble its efforts to address the needs of its Hispanic citizens. The recommendations of your Commission, developed over months of public hearings, consultations and independent research, have provided the City with a blueprint for the years to come.

Since the Report was released on December 9, 1986, the City has been reviewing the Commission's Report to determine how we could best meet the needs you identified and achieve the objectives you set for the City government. I am pleased to report to you today that, in most cases, we have adopted the Commission's recommendations and have developed an appropriate implementation plan. Regarding this category of recommendations, we have prepared for the Commission a summary of the new initiatives we have taken in response to the Commission's Report. As you will see, in virtually every critical area of government services -- from mental health services in the Health and Hospitals Corporation to bilingual receptionists in police precincts -- we have undertaken new programs that will directly address the needs of the Hispanic community.

There is a second category of recommendations where we have determined that the Commission's objectives can be accomplished in a different way. We hope you understand that our approach, while different, is intended to attain our shared goal of improving the delivery of essential services. In our response we have also identified some recommendations that require further study and planning before we decide how best to proceed. Finally, in a few instances, we realized that there are areas of disagreement between the Commission's recommendations and City policy. Where such disagreements exist, we have tried to articulate the reasons that support the City's position.

When I asked you and your colleagues to undertake this comprehensive review of the needs of the Hispanic community, I made a commitment that the City would take seriously its obligation to make every reasonable effort to implement the Commission's recommendations. Over the course of our conversations, you have stressed the importance of this commitment, both to the Commission members and to the Hispanic community. I am gratified, therefore, that the Commission supports the implementation and monitoring plan set forth in my February 27 letter to you (attached). With the monthly monitoring system, the publication of Annual Report on Hispanic Concerns, and my regular consultations with Hispanic leaders, I believe we can be assured that the work of the Commission will result in concrete improvements in the lives of Hispanic New Yorkers.

On behalf of all New Yorkers, I would like to thank you and your colleagues for the valuable contributions you have made to our City.

Sincerely,

Edward I. Koch
M A Y O R

Attachment

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

February 27, 1987

Mr. Edgardo Vazquez
Chairman
Mayor's Commission on
Hispanic Concerns
c/o Banco Popular de Puerto Rico
7 West 51 Street, 2nd Floor
New York, NY 10019

Dear Edgardo:

When I met at Gracie Mansion with the members of the Commission on Hispanic Concerns, you asked me to consider how best we could monitor the implementation of the Commission's recommendations. I have given your question a lot of thought. It is entirely appropriate for an advisory group such as the Commission on Hispanic Concerns to anticipate that the City will take its recommendations seriously and will make every reasonable effort to ensure that the adopted recommendations are in fact implemented. I am also aware that in the particular case of the Commission you chair, members of the Hispanic community have specifically asked that we establish a procedure for publicly reporting on our progress in implementing the recommendations.

I am writing to respond to your question. We intend to establish a monthly reporting system on our implementation plan and to publish an Annual Report on Hispanic Concerns that provides a status report on our implementation program. The first such Annual Report will be released in September 1987, six months after the release of the City response to the Hispanic Commission Report.

The Annual Report on Hispanic Concerns will follow the format of the Mayor's Management Report. I should explain that format briefly. For each agency in government, we have established objective performance criteria, very similar to those used in the private sector. On a monthly basis, all agency heads are required to report to the appropriate Deputy Mayor and to me on their progress in attaining the goals we have set for them. Twice a year, we report these findings to the public.

The Annual Report on Hispanic Concerns will follow this format. For each agency, we will establish performance indicators and milestones based on the City's response to the Commission's Report. Failures to meet these objectives will be brought to my attention. On an annual basis, these reports will be synthesized and summarized and made public to ensure public accountability for meeting the goals we have established. Finally, in addition to the Annual Report on Hispanic Concerns, the findings of this report will be summarized in the Mayor's Report itself, which is issued twice a year.

I have also decided that I would like to continue the constructive dialogue between me, other members of the Administration and leaders of the Hispanic community. Over the past months, the extensive discussions between members of the Commission and City managers have been helpful and informative to us and have, I trust, been constructive for members of the Commission as well. In the future I would like to adopt two approaches that will continue this dialogue. First, I will direct my Special Advisor for Hispanic Affairs to take specific responsibility for meeting with Hispanic leadership groups to keep abreast of emerging issues that should be brought to my attention. The Special Advisor will submit regular monthly reports to me and, as needed, will recommend meetings with me or my representatives about specific issues that require governmental attention. Needless to say, we should not wait until problems become entrenched to address them.

Second, simultaneous with the release of the Annual Report on Hispanic Concerns, I intend to meet with a representative group of Hispanic leaders at Gracie Mansion or City Hall to solicit their reactions to the report and their advice regarding the appropriate next steps for the City to take to meet the needs of the Hispanic community.

I hope that these commitments are responsive to your Commission's concern about the implementation of your recommendations.

I look forward to our meeting Monday morning. With my best wishes, I remain

Sincerely,

Edward I. Koch
M A Y O R

SUMMARY OF CITY INITIATIVES

IN RESPONSE TO

THE MAYOR'S COMMISSION

ON

HISPANIC CONCERNS

Introduction

Listed below are major initiatives announced by the City as part of Mayor Koch's response to the Report of the Advisory Commission on Hispanic Concerns. In every area of City government covered by the Commission's inquiry, there have been important programs undertaken by the appropriate city agencies. The program initiatives are grouped according to the Chapter headings of the Commission.

I. Education.

Improving the educational system is a top priority of the Administration.

Dropout Prevention. The Board of Education has adopted several of the Commission's recommendations: drop-out rates will be tabulated by ethnicity in the future to assess the scope of the problem and the effectiveness of various intervention strategies upon different groups of students; this month the Board will open two alternative high schools, one operating in conjunction with Hostos Community College and one operating with Bronx Community College, both serving large Hispanic communities; the Board will increase the use of Hispanic Community Based Organizations in the drop-out prevention program; the Board will seek external support to expand the Mentoring Program. The Board recently announced that it has made significant progress in achieving the Mayor's goal of reducing the drop-out rate by fifty percent in four years. With these additional initiatives, the Board expects to achieve even greater success.

Teenage Pregnancy. The Board of Education has taken several significant steps to implement the Commission's recommendations. The Board has announced implementation of its Family Living and Sex Education program in all schools and has announced creation of an advisory council to review its implementation; the Department of Health will be expanding the staff of the health resource coordinators; this month the Board will open five day care centers in the schools with the highest rates of pregnancy, bringing the total number of day care centers to twenty.

Bilingual Education. The Board has agreed to explore a teacher exchange program, has strengthened the monitoring staff of the Bilingual Education program, and has established a new policy to reserve a minimum of twenty seats at each Educational Option School and each Unit Trade Vocational High School for Limited English Proficient students. This new program will take effect in September 1987.

School Overcrowding. We are particularly concerned about the problems of school overcrowding described in the Commission's report. We are announcing several initiatives that should alleviate this serious problem -- that the Art Commission has given preliminary approval to the design of mini-schools; that the Board has agreed to assign two additional architects to expedite the design of P.S. 48; that the Board has committed to building two-story mini-schools; that OMB and the Mayor's Office of Construction will approve bonuses and penalties to speed up construction; and that additional architects will be hired to expedite the design of schools for the most overcrowded school districts, Districts 6, 10, and 24. Beyond these initiatives, however, Mayor Koch has asked for a complete review of the steps involved in building the schools in these districts. Representatives of the Board and relevant City agencies met recently and began to identify ways to cut down on the construction time. Mayor Koch has asked Deputy Mayor Esnard to chair a Schools Overcrowding task force that will oversee the approval, design, and construction process in these districts.

English and GED classes. The City recently announced a $1.5 million expansion of the adult basic education program using surplus Municipal Assistance Corporation monies, resulting in the creation of 93 new English as a Second Language classes. CUNY will also add 16 ESL classes in seven campuses representing service in all five boroughs.

Physical Conditions in the Schools. The City and the Board have made significant progress in ensuring that the City's children learn in safe and pleasant environments. The Schools Handyman Program has been expanded, the School Scorecard System has been established, and we have committed from MAC funds an additional $16.1 million in FY 87 and $75 million in FY 88.

II. Economic Development.

We are pleased to announce several initiatives to support the development of Hispanic businesses throughout the City. We agree with the Commission that a strong economic foundation is essential to the growth and vitality of the Hispanic community. We also agree that specific programs are needed to assure that Hispanic firms are aware of and participate in the city's economic development programs.

The City is announcing the creation of a new Division of Economic Opportunity within the Office of Business Devel-

opment, to be headed by an Assistant Commissioner. The Division of Economic Opportunity will expand the city's ability to encourage economic growth in the Hispanic community and in other economically underdeveloped communities and to advocate on behalf and of such businesses. The City will also form an Advisory Board of Hispanic business leaders to advise the Deputy Mayor for Finance and Economic Development on the development of programs tailored to the needs of Hispanic firms and ways to increase Hispanic firms; access to the city's financial, technical assistance and other business service programs. To assist the city in this effort, the Office of Business Development (OBD) will conduct a study of the nature of the Hispanic business community and the needs of Hispanic businesses. In addition, the Deputy Mayor will periodically provide the Advisory Board with data on the city's business assistance program and the participation of Hispanic firms in these programs.

The Office of Business Development (OBD), working with the City Planning Commission and the Department of Housing, Preservation and Development, has been working to expand the proposed State Economic Development Zone in East Harlem Opportunity Zone to include Spanish East Harlem. The final application has been submitted to the State.

OBD will expand its Spanish language outreach with a radio and newspaper advertising campaign in Spanish. OBD has conducted two Spanish language business training seminars in 1986 and plans are underway for two additional Spanish language seminars in 1987. These expanded Spanish language outreach and technical assistance programs will be ongoing.

The Public Development Corporation will create a new Committee on Small and Minority Business Development. The Financial Services Corporation is redesigning and will seek increased resources for an expanded Small and Minority Owned Contracted Working Capital Assistance Program (SMOC II). The Department of Ports, International Trade and Commerce will develop a plan for a new wholesale facility at the Hunts Point Distribution Center.

III. Housing.

The creation of affordable housing is a top priority for the City. The Ten Year Plan recently announced by Mayor Koch calls for the rehabilitation of 16,000 vacant and 36,000 occupied in rem units for low-income households and 10,000 vacant units for moderate-income households. Of the $4.2 billion contained in the Plan, 64% will be earmarked to benefit low-income households and 21% will go to moderate-income households.

We are pleased to announce the creation of the East Harlem Project. HPD has established a Task Force chaired by Deputy Commissioner Jack Olivero to oversee the project. The first step of the Task Force will be to review proposals made by the Commission regarding alternative methods for disposing of buildings in the East Harlem area.

Finally, HPD has offered to work with the Commission to co-host a briefing of Hispanic business leaders, bankers, and real estate brokers on the purpose and programs of the Ten Year Plan to ensure that the City takes advantage of their expertise and commitment.

IV. Hispanic Public Benefit Corporation.

The City agrees with the Commission that, in order to find ways to speed up the pace of housing and economic development, we should explore creation of a public benefit corporation with expanded powers to undertake development in the city's low income neighborhoods. The State Economic Development Zones being proposed for East Harlem, South Jamaica, East New York and Port Morris may be appropriate areas for this corporation to exercise these expanded powers. Creation of such a corporation would require state legislation. Pending legislative action on this proposal, the City will take concrete measures to create additional housing and provide greater opportunities for Hispanic enterpreneurs, developers and community-based organizations in these neighborhoods. For example, under the guidance of the Public Development Corporation Board's new Small and Minority Business Development Committee, the city will initiate a comprehensive disposition program in East Harlem.

V. Private Sector Employment.

The City agrees with the Commission that trainees should be paid trainee-level wages on State construction sites and has filed an amicus brief in the Court of Appeals supporting that view. The City also supports the Commission's recommendations that City Works funds should be directed to create additional training opportunities for economically disadvantaged young people. The Law Department has now given its opinion that capital funds can be used to cover the brick and mortar costs of the City Works Housing Component.

VI. Employment in City Government.

The Commission's findings and recommendations in this area correspond with the City's plan to conduct a thorough review of its recruitment, hiring, and training programs. That review is not yet complete, but at this point we can announce that we agree with several of the Commission's key findings. The City agrees in concept with the recommendation that we conduct utilization analyses to determine the effectiveness of recruitment campaigns geared to specific examinations and specific titles. The Department of Personnel is also committed to conducting recruitment campaign in the New York Times and other newspapers. There is also agreement that the City explore development of a management internship program and the Mayor has asked Judy Levitt, Director of the Department of Personnel, Joel Copperman, Assistant Director of the Office of Operations and Jeremy Travis, Special Advisor to the Mayor, to submit such a proposal within two months. Finally, we have agreed with the recommendation that First Deputy Mayor Brezenoff should undertake a review of the more complex civil service issues such as open competitive exams, feeder titles, etc. within ninety days.

We have not yet decided on the appropriate location and structure of the equal employment opportunity functions. The Citywide EEO Committee, chaired by First Deputy Mayor Brezenoff, is reviewing various options, including the Commission's recommendation for a centralized mayoral office. At the same time, the Mayor has asked Jeremy Travis to undertake a review of the City's Human Rights Commission, where the EEO function is now housed. We expect that these issues will be fully debated within the next two months and the City will announce the results of these discussions by the end of April.

VII. Health.

The Health and Hospitals Corporation has undertaken several significant initiatives to improve the delivery of health services to the Hispanic population. As recommended by the Commission, HHC has established a Pre-residency program in psychiatry to give Foreign Medical Graduates extensive training for a one-year period. The first phase of the program has been implemented in Harlem Hospital, where three of the six FMG's are Hispanic; the second phase of the program will be implemented in Elmhurst where there is a particular need for Spanish-speaking psychiatric care. HHC has also agreed to replicate the highly acclaimed Roberto Clemente Clinic at or near Lincoln Hospital. HHC

will also set aside an entire 27 bed psychiatric unit at Lincoln as a special resource for Hispanic patients. In conjunction with New York University, HHC will also be submitting a funding proposal to the State Office of Mental Health to create an institute for Hispanic concerns under the State's program for "Minority Research Development and Training Institutes." As recommended by the Commission, HHC is developing a comprehensive cultural sensitivity program that will start intensive training intervention at Elmhurst. HHC has developed and implemented a Mental Health Interpreter Training Project that provides training to bilingual employees who serve as interpreters for non-English speaking patients. Also, the Department of Health has just hired four Hispanic outreach workers to work with community groups in Hispanic neighborhoods to reach IV drug users about AIDS. Finally DOH has agreed to contract for a "state of the data" survey as a preliminary step to ensuring that health data accurately reflect the demographic background of the citizens.

VIII. Criminal Justice.

We are pleased to announce several initiatives that will improve the delivery of services to Hispanic citizens who come into contact with the criminal justice system, whether as crime victims, criminal defendants, or simply as needy individuals seeking assistance.

The Department of Correction will undertake a pilot program on Rikers Island to expand drug treatment services for inmates. The Drug Abuse Task Force, co-chaired by Kevin Frawley, the Criminal Justice Coordinator and Robert Wagner the President of the School Board, will monitor all drug treatment and drug prevention programs. The City and the Board of Education will work with school districts to determine which district would be appropriate for expansion of the School Victim Assistance Program, administered by the Victim Services Agency. The Domestic Violence Prevention Project, a joint VSA-NYPD program, will be expanded to the 23rd Precinct in East Harlem. The Police Department will expand its Precinct Receptionist Program to thirteen additional precincts, bringing to twenty-two the number of precincts where there will be a bilingual receptionist. Several of the recommendations regarding Police Department hiring and promotional practices are contained in the Report of the Advisory Committee on Police Management and Personnel Practices chaired by John Zuccotti; once the report of that Committee has been reviewed by appropriate City agencies we will be in position to comment on these recommendations.

IX. City Services.

The City agrees that City agencies should maintain data that measure the effectiveness of City services on various ethnic groups. The Mayor will send a memorandum to all agency heads to this effect. In connection with the Language Services Plan program (see below), the newly-created Language Services Coordinator will study the feasibility of a Spanish information hotline to ensure that Spanish speaking clients can take advantage of city services.

X. City Language Services.

The Commission has made valuable and detailed recommendations in the area of language services. As a first step in ensuring that the City effectively provides services to people who do not speak English, we have agreed with the Commission's recommendation that a Language Services Coordinator be appointed in the Mayor's Office of Operations, under the Citywide Services Unit. The first task of that Coordinator will be to carry out the Commission's recommendation that each City agency that provides substantial public contact services be asked to submit, not later than January 1988, a Language Services Plan outlining the language needs of its service population and a proposal for how best to meet those needs. In the context of the Language Services Plan the City will consider the various policy options proposed by the Commission, e.g., preferences for Spanish-speaking candidates, the language bonus, and translator certifications.

CITY RESPONSE TO THE REPORT OF THE MAYOR'S COMMISSION ON HISPANIC CONCERNS

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DROPOUTS

Recommendation 1. That the City's dropout rate be tabulated according to race, ethnic origin and language spoken at home, in order to provide the Board of Education with sufficient information to tailor dropout prevention programs to the specific needs of Hispanic students.

The Chancellor agrees with the Commission's recommendation and supports obtaining information to identify students by race and ethnicity and to measure the dropout rate, academic standing, and attendance in these categories. The Mayor and the Board President have asked for this. It will be recommended to the Board next month.

Recommendation 2. That the Board of Education establish a panel composed of concerned parents and educational experts to work with an independent consultant to evaluate the bureaucratic procedures that impair a principal's ability to resolve problems expeditiously. The panel's objective would be to recommend changes to streamline procedures and allow principals more flexibility to act on local school concerns.

The Board and the Chancellor have established Professionalism as one of eight priorities to be pursued this year. A Task Force is being formed to improve the status, professional inter-relationships, environment, and effectiveness of staff.

The mission of the Task Force is to identify and assess the factors, policies and programs which contribute to a positive and successful professional environment for teachers and administrators. This includes preservice programs designed to increase the number and quality of teachers and administrators who seek entry into the system and strategies designed to encourage, motivate and retain teachers and administrators within the system through improvement in physical environment, compensation, and responsibility. The Task Force will examine methods to increase the professional role of teachers and other members of the educational staff. The Task Force will prepare a plan, addressing fiscal and budget requirements, for the transition to, and effective implementation of major committee recommendations within a one year time period.

The composition of the Task Force is presently being determined.

Recommendation 3. That the Chancellor create incentives for student retention by offering concrete rewards for schools that improve their retention rate. Incentives such as cash bonuses for special equipment or activities should be considered.

It is the Chancellor's philosophy to target assistance to schools in greatest need. The results of implementation of that philosophy are clearly demonstrated by the significant improvement in the dropout rate in the 26 high schools with Attendance Improvement/Dropout Prevention programs from 12 percent in 1984-85 to 10.3 percent in 1985-86. The dropout percentage in the

ten high schools with Dropout Prevention programs improved from 15.7 percent in 1984-85 to 11.2 percent in 1985-86. Attendance in the 26 AIDP high schools improved from 75.4 percent in 1984-85 to 75.9 percent in 1985-86. In the ten DPP high schools attendance improved from 73.0 percent in 1984-85 to 73.2 percent in 1985-86.

When the program enters its third year in the Fall of 1987, schools that have improved pupil retention and would otherwise be ineligible will be rewarded by continuing their participation in the programs. Such action will ensure institutionalization of the processes and practices that have produced successful results.

Students as well as schools are the recipients of incentives and rewards for improved performance. In the middle schools, "points" are awarded to student program participants based on daily attendance, grades, behavior and involvement in extended school day programs. Recognition in the form of certificates and/or trophies are awarded at public activities such as school assemblies so that deserving students are recognized while others are motivated. Students maintaining high levels of improved performance are recognized by participation in special outings such as skating trips or by receiving school "T" shirts or sweat shirts. The most improved students are selected to participate in a major event such as a trip to Washington, D.C. or to an educational environmental center.

At the high school level, the newly instituted Part-Time Jobs Program, which uses the services of 21 Community Based Organizations (CBOs) to serve 2,500 students in 24 high schools across the City, contains a powerful "reward element." Students who were AIDP or DPP program participants in 1984-85 and/or 1985-86 and whose improved attendance and/or academic achievement has made them ineligible for further program participation, and those students who are current AIDP or DPP program participants and have demonstrated improvement are given priority status for participation in the Part-Time Jobs Program.

Recommendation 4. That the Board of Education seek to eliminate lifetime principal tenure and review principals' contracts every four years for the purpose of removing principals with unsatisfactory performance. That the improvement of a school's student retention rate be a fundamental element of the review.

The Board President and the Chancellor have endorsed the concept of greater accountability for principals. The Board is considering legislation to make it easier to remove incompetent principals even if they are tenured. This will better enable us to hold principals accountable. Proposed legislation is being drafted to be presented to the Board for discussion and support.

Recommendation 5. That the Board of Education and the City target funds for the expansion of the Mentoring Program. That the program make a concerted effort to recruit more Hispanic students and mentors.

The Mentoring Program, a joint effort of CUNY and the Board of Education, has specifically targeted services to Hispanic students at Seward

Park High School by utilizing the resources of LOISADA Employment Project. Additionally, the Mentoring Program has provided technical assistance to the HACER MADRINAS mentoring project which focuses its efforts on female Hispanic middle school students. Assistance has been provided in the areas of mentor training, project planning and evaluation.

We shall continue to seek support from external sources so as to expand the program. The newly created Division of Planning, Program Development and External Relations has made the procurement of such support a divisional priority for the 1987 calendar year.

Recommendation 6. That the Board of Education and the Mayor aggressively recruit the assistance of the media for:

- Advertisements and programs that stress the importance of parental involvement in a child's education and that inform parents of possible methods of participating with their children in school activities.
- Public service announcements on television and radio during prime viewing hours that reinforce the importance of Hispanic students obtaining a high school diploma.
- Production of a bilingual documentary to underscore the dropout crisis among Hispanic youth.
- Creation of a bilingual campaign along the lines of ABC Television's "An American Portrait," to honor New York City's Hispanic students, faculty and staff members.

As the purchase of prime time television advertising is so expensive, the Board is committed to supporting the efforts of any outside group that will help to produce and air "Stay-in-School" advertisements. Specifically, we will approach the Partnership and Association for a Better New York and ask them to request that their member organizations contribute either funds or in-kind services that will result in the airing of "Stay-in-School" messages as part of or in place of their normal television advertising.

- promoting the use of the media to help parents work and support their children in school activities.
- public service announcements during prime viewing hours on English and Spanish TV stations to stress the importance of obtaining a high school diploma.
- continue advertising with Bill Cosby (begun Fall 1985)

Recommendation 7. The Board of Education contract with community-based organizations to organize school outreach efforts to the Hispanic community in order to motivate parents to become more involved in their children's education. That this outreach effort focus on personal contacts such as home visits and telephone conversations.

The Board agrees with the Commission's objectives and, in fact, is currently contracting with seventeen community based organizations (CBOs)in our dropout prevention and retrieval efforts. Their activities include outreach contacts with the home. In addition, the AIDP part time jobs program, initiated in January 1987, is contracting for the services of 21 CBOs. Both the dropout prevention and part time jobs contractors work with high schools that serve largely Hispanic communities.

Many of the Dropout Prevention programs emphasize outreach to families so as to involve parents actively in student retention efforts. These outreach efforts include written communications, telephone calls, home visits and in some cases parent workshops.

Heavy emphasis is placed on services to Hispanic students by the following dropout prevention contractors: ASPIRA, FEGS, Urban Adventures and Victim Services at Eastern District High School; by Grand Street Settlement at Bushwick High School; by Cathedral of St. John the Divine/Manhattan Valley and Green Chimneys at Brandeis High School; by Federation of Protestant Welfare Agencies at Morris High School; by FEGS at South Bronx High School; by Northwest Bronx Community and Clergy Coalition at Taft High School and by Pius XII at Theodore Roosevelt High School. Recently initiated programs by Part Time Jobs contractors will emphasize services to Hispanic students as well. Banana Kelly Community Improvement Association at Adlai Stevenson High School; the National Puerto Rican Forum, Inc. at Monroe High School; the Washington Heights and Inwood Development Corporation at George Washington High School are examples of locations where emphasis of service is placed in largely Hispanic communities.

Actual implementation of the Part Time Jobs Program is progressing on schedule because of the Board's recently developed, streamlined contracting procedures. These procedures were developed collaboratively with CBO agency representatives.

Recommendation 8. That the salaries of alternative high school principals be raised to the level of other high school principals. That the Board of Education eliminate internal policies which stigmatize alternative schools.

Alternative high school principals manage schools which are significantly smaller in size than other high schools; from 250-700 students as compared with 2,500-5,000 students in regular high school. The Chancellor, therefore, cannot support raising the salaries of alternative high school principals to the level of other high school principals.

Recommendation 9. That the number of alternative schools be increased to meet the needs of those seeking admission. That college collaborative schools be established at each CUNY campus and that the Board of Education and the City seek to establish these schools at private colleges and universities throughout the city.

The Board agrees that alternative high schools play a valuable role in our educational system. The Board has expanded the number of alternative high schools to include one functioning with Brooklyn College and an additional one relating to and housed at LaGuardia Community College. Brooklyn Academy, located at Brooklyn College opened in February, 1986. In September of 1986, International High School was developed at LaGuardia Community College to enhance the learning opportunities and options for bilingual students. International High School works with Middle College at LaGuardia Community College.

In February 1987 the Hostos-Lincoln High School opened at Hostos Community College and the University Heights High School opened on the campus of Bronx Community College. Both schools are serving large Hispanic communities. Additionally, there are other collaborative relationships with CUNY. The Mentoring Program, another CUNY-Board of Education collaborative effort, incorporates 22 projects at eighteen of the CUNY units and serves approximately 600 ninth and tenth graders.

The "College Now" project, a third major collaborative, began at Kingsborough Community College in 1984 and is now working with 13 high schools. The project identifies academically able eleventh graders and allows them to take college level courses at their high schools. Project Care, operated by NYC Technical College, performs similar services for students at Westinghouse High School

TEENAGE PREGNANCY

Recommendations 10-12. That the Board of Education move forward in its determination to decrease teenage pregnancy in New York City through effective sex education. That the Board of Education closely monitor the implementation of the sex education curriculum which it has recently made compulsory for all public school students. That the Board of Education commence bilingual outreach efforts to educate parents on the purpose of its sex education program.

The Board has voted to mandate Family Living and Sex Education in all of our schools to be implemented September, 1987. Each Community School District has been directed to submit a plan for implementing the curriculum. The plan must be approved by the Division of Curriculum and Instruction and will be the basis for monitoring.

The implementation plan is as follows:

a. The establishment of a Community School District Advisory Council by January 5, 1987. This Advisory Council consists of parents of elementary, junior high and senior high school students. Parent members should include but not be limited to the officers or members of the parent associations. In addition, the district advisory council should include teachers and supervisors representing each school level, community school district staff, and students. Religious community representatives, such as clergy or other religious leaders, should also be included.

The functions of the Advisory Council include:

- o helping to gather information about local needs and resources
- o participating in the analysis of these needs and resources
- o helping to determine program direction and course content
- o facilitating linkages between school and community resources
- o acting as an advocate for the program and its participants
- o assisting in program evaluation
- o facilitating with community organizations
- o developing a plan with the school administrator to handle both positive and negative occurrences.

b. The establishment of a school advisory council in each school by February 2, 1987.

c. An outline of the District implementation plan and budget requirements by March 2, 1987

Recommendation 13. That family planning services, including individual counseling and referrals, be made available to all junior high school and senior high school students at their schools.

The Board has supported the concept of comprehensive health clinics for all of our schools. Presently, there are eleven clinics operating in high schools and clinics operating in 15 districts. Our expectation is for the continued growth of health clinics in our system. Reproductive health care is an important service offered by the clinics. This aspect of service is presently being evaluated in the nine State funded high school health clinics. The result of the evaluation will be given to the Board in May 1987.

Recommendation 14. That schools: allocate sufficient time for health resource coordinators, and other health professionals; ensure that adequate facilities are made available for private consultations; and facilitate the dissemination of information regarding available health services to students.

The Board welcomes the participation of the Department of Health in providing services to our students, but must recognize that the lack of space in some buildings affects our regular programs as well as the complementary ones. Presently over 200 Health Resource Coordinators work in our schools. We have placed them in schools with dropout prevention programs where students are most "at-risk" and most acutely in need of such service.

Recommendation 15. That the City fund day care centers in those schools with the highest rate of teenage pregnancy.

The Board and Chancellor are committed to an expansion of day care centers, recognizing that many adolescent mothers desire to continue their studies, but need child care services. In the month of February, the Board opened five new day care centers, bringing the total to twenty. The five new day care centers are: Manhattan - Satellite Academy, and School for Cooperative Technical Education; Bronx - Argus Off-Site Educational Services,

and Theodore Roosevelt High School and; Queens - Far Rockaway High School. While committed to providing appropriate child-care services, the Board believes, however, that the problem of students with children is best addressed by pregnancy prevention.

BILINGUAL EDUCATION

Recommendation 16. That the Board of Education combine an aggressive and continuous media campaign to recruit bilingual teachers on college campuses, city high schools, in community-based organizations and in all accredited universities in Puerto Rico and Spanish-speaking countries.

Recruiting bilingual teachers is a high priority for the Board. The Division of Personnel, the Division of Special Education and the Office of Bilingual Education are collaborating on staff recruitment efforts. All college campuses in the metropolitan area are being visited. In addition, we have an on-site recruiter at the University of Puerto Rico.

The Division of Personnel is also looking into the possibility of working with the Department of Education in the Dominican Republic to recruit teachers from that country. Many of the newly arrived LEP students come from the Dominican Republic.

The Division will contact Hispanic community and cultural organizations in the city which include members or can reach out to residents of the city who had been teachers in their respective countries. Staff will make presentations which explain to interested people how they can become teachers in New York City and meet with individuals to provide counseling regarding their own transcripts and what particular course requirements they might need.

Recommendation 17. That the City and the Board of Education initiate a pilot program to provide temporary housing for teachers from Puerto Rico and Spanish-speaking countries.

The Board was indeed able to secure temporary housing for teachers at the Sloan House. However, the problem of affordable housing is one that is ultimately beyond the scope of the Board of Education.

Recommendation 18. That the United Federation of Teachers'Career Ladder Program, which pays paraprofessionals to pursue a teaching degree within the CUNY system, expand its Hispanic participation.

The Board is supportive of this program and has increased the allocation of funds for paraprofessionals to the Office of Bilingual Education. They report that 50% of them went on to become teachers.

In 1986-87 school year, the Office of Bilingual Education's Bilingual Pupil Services added thirty-five (35) paraprofessionals to their program as part of the Chancellor's LEP Action Plan and an additional twelve (12) were hired through allocation adjustments by the Office of Funded Programs. The total number of paraprofessionals in this program alone is now ninety-two

(92), assigned to seventeen districts. Sixty-six (66) of the total number of paraprofessionals are Spanish speakers. Bilingual Pupil Services (BPS) is a program which provides paraprofessionals who work directly with children in the participating districts. Every paraprofessional must take part in staff development programs provided by the staff of BPS in addition to attending a college. Fifty percent (50%) of the paraprofessionals who participated in this program in the past, have gone on to become teachers.

Recommendation 19. That the Board of Education establish a formal exchange program with teachers and student teachers in Puerto Rico and Spanish-speaking countries where there is a shortage of English teachers.

The Board agrees that teacher exchange program is worthy of exploration. The Division of Personnel will be charged with the responsibility for developing a proposal for consideration.

Recommendation 20. That the Board of Education closely supervise teachers providing bilingual classes without a license in that area and provide incentives for certification.

The Office of Bilingual Education has a staff development program to assist insufficiently prepared teachers to be effective. We have also increased our monitoring capabilities.

Office of Bilingual Education has received funding from the State Education Department to provide additional staff development for bilingual/ESL teachers and other teachers working with LEP students in grades 3-9. Teachers of grades K-2 have also taken part in various staff development activities offered by Office of Bilingual Education.

Recommendation 21. That the Board of Education strictly adhere to its "Action Plan for Upgrading, Monitoring, Management and Programs for Limited English Proficient Students" to enforce uniform compliance with the legal requirement that every entitled limited English proficient student receive a bilingual education or English as a second language instruction.

We have prepared time lines and up-dated reports to assure compliance to the Action Plan we developed. Such reports are shared with the Deputy Mayor.

Recommendation 22. That the Board of Education target those school districts and high schools with the poorest records of providing bilingual education for immediate evaluation and school visits.

Districts with poor histories of compliance in the area of bilingual education have been visited and the findings of the monitors are currently being prepared.

The Office of Bilingual Education in conjunction with the Office of Funded Programs Monitoring Task Force has just completed a round of monitoring visits to one hundred (100) schools - 80 elementary and IS/JHS in the community school districts and 20 high schools - in order to ensure compliance with testing regulations and identify issues and problems related to LAB

testing. The majority of the schools were selected as priority schools for not having tested sufficient numbers of LAB eligible students last year. Other schools were randomly selected.

Each school and superintendent was notified of the findings and was asked to take corrective actions. Follow-up visits will ensure that appropriate corrections have been made.

Recommendation 23. That the Board of Education institute a system of vigorously enforced sanctions against those schools or districts which do not comply with the requirement that every entitled limited English-proficient student receive bilingual education or English as a second language instruction.

We have advised the Superintendents that we shall provide support to programs requiring it and intervene where warranted with the application of sanctions. Sanctions that deny resources penalize the children in those affected districts. Therefore we concentrate on planning and support prior to any distribution of money.

Recommendation 24. That the Board of Education increase the monitoring staff of the Office of Bilingual Education to allow the office to conduct thorough yearly evaluations of each school.

As recommended by the Commission, the monitoring staff of Office of Bilingual Education has been increased by the addition of two (2) staff members. However, using the resources of the Monitoring Task Force and additional Office of Bilingual Education staff has also made it possible to monitor many more schools.

Recommendation 25. That the Board of Education review and eliminate high school admissions criteria that discriminate against limited English proficient students.

The Board has announced the following policy directives that address the Commission's concerns that high school admissions criteria should not discriminate against LEP students:

Procedures for High School Admissions for Limited English Proficient Students to Educational Option Schools and Unit Trade Vocational High Schools

While students in the New York City high schools include representation from a diverse ethnic and multilingual population, in addition to English the predominant languages are Spanish, Chinese, and Haitian Creole. In order to provide each of the predominant LEP populations with access to a bilingual program in the eight (8) Educational Option schools and five (5) unit trade vocational high schools, admissions procedures will be guided by the following principles:

- That LEP students may apply to any Educational Option School and unit trade vocational high school of their choice. Current choices have already been made for school year 87-88.

- That the data be gathered as to the number of LEP students who choose a particular Educational Option school and unit trade vocational high school as their first choice. This information should be assembled according to each of these predominant languages. To insure access to bilingual programs, the Educational Option school and the unit trade vocational high school with the greatest number of Chinese applicants would be expected to begin a bilingual program in that language in September 1987. Similarly, the Educational Option school and the unit trade vocational high school with the greatest number of Haitian Creole applicants would be expected to begin a bilingual program in that language in September 1987.

- That based upon the data indicating the predominant language of the majority of first choice applicants in the remaining six (6) Educational Option schools and three (3) unit trade vocational high schools, one parallel bilingual program to begin in September 1987 would be developed. It is expected that these programs would be in Spanish.

- That for the Educational Option Schools, the responsibility for obtaining a minimum number of LEP students in the predominant language sufficient to begin a parallel program be shared centrally by random computer selection and at the local level by school selection.

- That for the unit trade vocational high schools the responsibility for obtaining a minimum number of LEP students in the predominant language sufficient to begin a parallel program rests at the local level.

- That the minimum number in the predominant language to be admitted to Educational Option and unit trade vocational high schools be set at twenty (20) students.

Recommendation 26. That a yearly report be issued by the Board of Education on the progress made in creating bilingual vocational education programs. That the yearly report include plans of action to remedy any deficiencies.

The Board is required to provide the State Education Department with a report on the progress of bilingual vocational education programs. These annual reports are public information.

OVERCROWDING

Recommendation 27. That the Board of Education accommodate projected increases in student enrollment and additional space needs resulting from educational initiatives by expediting the construction of five permanent schools in District 6, four permanent schools in District 10 and two permanent schools in District 24.

The Board of Education considers the alleviation of overcrowding to be a major priority. "Capital needs" is one of the top agenda items. A Ten Year Capital Plan was developed in October 1986 and will be reviewed by a panel of experts. The first year of the Ten Year Plan is reflected in the Board's Capital budget request. The Office of Management and Budget has, further, agreed to fund all projects in overcrowded districts in accordance with the list below.

There is a three-pronged approach being used in overcrowded districts: (1) The Ten Year Capital Plan, (2) Mini-schools for the short-term, and (3) new construction in the long-term and aggressively pursuing leased space. The schedule is as follows:

Projected Dates for Occupancy of Listed Projects

District 6	Occupancy	Capacity
Mini Schools (2)	12/88	600 each
PS 173-Addition	3/89	293
PS 152-Addition	3/89	290
34th Precinct-Conversion	12/90	400
PS 153-Addition	12/90	300
PS 128-Addition	3/91	300
PS 48	9/91	700
IS 218-New Building	2/91	1,800
PS 215B-New Building	2/93	600
District 10		
PS 7-Addition	9/88	248
PS 8-Addition	9/88	248
Mini Schools (11)	88-92	2,980
Building Industry League	9/90	250
IS 206A-New Building	9/93	1,200
IS 206C-New Building	2/94	1,200
New Bldg.	2/95	1,200
District 24		
Mini Schools (5)	87-89	1,430
PS 143-Addition	9/89	500
PS 199-Addition	3/89	300
PS 14-Addition	9/91	300
PS 89-Addition	9/91	400
PS/IS New	2/94	1,800
TOTAL OF FUNDED PROJECTS:		17,239

For mini-schools, a monthly management report is submitted to the First Deputy Mayor. A significant development occurred recently when the Board secured design approval for mini-schools from a Preliminary Subcommittee from the Arts Commission.

Recommendation 28. That the Board of Education and the City appoint an independent advisory committee composed of concerned parents, educational experts and representatives from the construction industry and financial community to assess the adequacy of the Board of Education's capital funding and to recommend plans for future needs. The committee will also consider and recommend alternative solutions to school overcrowding such as: redrawing school district boundaries, extending the school calendar and extending the school day.

The Board of Education is currently forming a Commission to study our Ten Year Capital needs. This Commission will include educators, government officials and representatives of the financial, business, and construction industries. This Commission will be charged with the responsibility of determining our capital needs and also, the means by which these needs can be met.

Recommendation 29. That as an interim solution to overcrowding, the Board of Education reassess its prior rejection of school playgrounds, parks and other areas for the construction on mini-schools in Districts 6, 10, and 24. That creative solutions to the space problem be aggressively pursued. For example, two-story mini-schools can be built in smaller lots and adjacent streets can be used as play areas where playgrounds are used for construction.

The Division of School Buildings is currently proposing two-story mini-school projects where feasible. In addition, consultants have been hired to develop mini-schools and explore various innovative design options. These new designs, including a two-story mini-school, will address the need for additional capacity, while minimizing the impact on existing playground space.

Recommendations 30-31 That the Office of Management and Budget approve bonus incentives for the completion of construction before the contracted deadline of schools in Districts 6, 10, and 24 as a mechanism for expediting the construction of new schools. That, as a mechanism for expediting the construction of new schools, the Office of Management and Budget approve bonus incentives for the completion of construction before the contracted deadline of schools in Districts 6, 10 and 24.

We have requested bonus/penalty provisions in prior contracts and will request them in these contracts. Such requests are generally made when plans and specifications for a particular project are complete and ready for review by OMB and Corporation Counsel. We have already advised the Mayor's Office of Construction of our interest to seek such clauses in these contracts. The Mayor's Office of Construction and Office of Management and Budget have agreed to work with the Board of Education to develop appropriate bonus/penalty incentives for the construction of schools in the over crowded districts. The use of these incentives and penalties will be considered in the context of the school construction task force being chaired by Deputy Mayor Esnard. (See also Recommendation 34.)

Recommendation 32. That the construction of P.S. 48 in District 6 be expedited by increasing the number of Board of Education architects assigned to its design.

The Board has agreed to assign two additional architects to expedite the design of P.S. 48 with the concurrence of the Office of Management and Budget.

Recommendation 33. That sufficient funds be immediately allocated to convert the old 34th Police Precinct into a school for 600 students within the next 15 months. Close monitoring of this project by the Mayor's Office of Construction will be required to ensure that the renovation proceeds on schedule. The Board should consider turning the project over to a private developer on a "turn-key" basis.

The conversion of the 34th Precinct into school space has been designed to accommodate 400 students. It is our opinion that a 400 seat school will provide an optimal educational environment for the students in this district. It is anticipated that the design and construction of this project will require 36 months.

Recommendation 34. That the Mayor's Office of Construction establish an inter-agency working group of the relevant City agencies to monitor the construction of all permanent schools and mini-schools in Districts 6, 10 and 24 to ensure that construction proceeds on schedule.

Mayor Koch has asked Deputy Mayor Esnard to chair a task force to expedite the construction of permanent schools and mini-schools in the over-crowded districts. The task force will consist of representatives of the Board of Education, the Mayor's Office of Construction, the Office of Management and Budget, the City Planning Commission, the Office of Youth Services. The task force has already begun its work and at its first meeting began to identify policies, procedures and practices that should be re-examined to determine whether the process of approval, acquisition, design and construction can be expedited for the overcrowded districts. The task force has set as its objective improving upon the construction schedule provided in response to Recommendation 27. Mayor Koch has made this effort a high priority.

ENGLISH AND GED CLASSES

Recommendation 35. That the Board of Education make a concerted effort to expand its contracts with community-based organizations in Hispanic communities to provide adult English as a second language instruction and graduate equivalence diploma courses at public schools.

The immediate expansion of adult basic education, supported in part by the allocation of $1.5 million of surplus MAC monies, resulted in the creation of over 132 new classes, of which 93 are English as a Second Language (ESL) as well as a number of special literacy projects. Through the Board of Education and the Community Development Agency (CDA), 16 community-based organizations serving Hispanic communities will receive expanded contracts. CUNY will add 16 ESL classes on seven campuses representing service in all five boroughs.

Recommendation 36. That English and Spanish graduate equivalence diploma courses and English as a second language courses be televised on the Board of Education's Channel 25 and other public service stations.

The Board agrees that this idea is worth pursuing. The Board has received information regarding a televised GED preparation program in Kentucky, and is exploring the feasibility of having such a program here.

Recommendation 37. That the Board of Education develop, and make available to the public, self-instruction tools such as audio and video cassettes, for English as a second language and graduate equivalence diploma courses.

The preparation, duplication and distribution of cassettes is extremely costly. The Board believes this should be done commercially in conjunction with a program of instruction.

PHYSICAL CONDITIONS IN SCHOOLS

Recommendations 38-39. That the Board of Education seek to give school principals direct supervisory authority over each school's custodial staff in its upcoming contract negotiation with the custodian union. That the Board of Education carefully monitor the implementation of the Board of Education resolution dated June 23, 1960, which requires that all school principals evaluate their custodial staff three times a year.

The Board of Education has arranged for principals to rate their individual custodians. The Board of Education, by memorandum, has recently reiterated this responsibility to all school principals.

Recommendation 40. That the pilot program initiated by the Board of Education in September 1986, which allows one school district in each borough to contract directly for repairs, be expanded to all schools if judged successful.

The School Handyman Program is currently being expanded through the recent allocation of additional funds from the Municipal Assistance Corporation. The Board of Education will continue to closely monitor this program to determine whether or not additional expansion will be initiated in following school years.

The Handyman Program is an attempt to give local school officials the ability to accomplish minor repairs with a minimum of delay. Each district will receive an allocation of $100,000 to use for quality of life items such as inoperative water fountains or toilets, broken shades, etc. The Board will establish a requirement type contract for each district and will monitor work performed.

Scorecard

The Board is in the process of developing an impartial on-going rating system to assess the conditions in our over 1,000 schools. The project is modeled after the sanitation scorecard. Once this program is in place we will be able to assess and respond to conditions needing repair in a more systematized manner. The first quarterly visits are expected to occur in April 1987.

Additional MAC Money

The Board, since the fiscal crisis in the late 1970's, has received insufficient funding for its maintenance operations. As a result substantial backlogs developed in what can be considered routine maintenance. The City has now recognized this need and provided an additional $16.1 million in fiscal year 1987, and indicated that for fiscal year 1988 it will provide an additional $75 million.

These funds will be used for:

Painting
Plastering
Waterproofing
Classroom Furniture
Luncheon Furniture
Lighting
Shades
Toilet Repairs
Teachers' Lounges
Misc. Repairs

These funds will have a major impact on reducing our overall backlog of maintenance needs.

Recommendation 41. The Board of Education initiate an "adopt a school" program where corporations support schools in need of repairs and contribute to their rehabilitation.

The Board of Education and private corporations have been successfully working together through our "Join-A-School" program, similar to the "adopt a school" program advocated by the Commission. In an attempt to increase corporate and private involvement in our schools, the Board of Education has recently established the Division of Planning, Program Development and External Relations. This office will be responsible for establishing, and maintaining linkages with private and public sector agencies, foundations, and universities and will oversee school-business community partnerships.

Recommendation 42. That a volunteer student custodial program be instituted in each junior and senior high school in the City. This program would serve the dual purpose of teaching students maintenance skills under the direction of school principals and developing student concerns for and pride in the appearance of their school.

While the concept of a volunteer student custodial program has a great deal of merit, the Board believes that implementation of such a program would be unlikely, however, because it must be fully agreed upon by Local 891 of the International Union of Operating Engineers. The recently announced maintenance program funded by surplus MAC money includes provisions that much of the maintenance work be done by vocational school students and graduates. This type of actual job experience should serve the objectives of developing maintenance skills.

LIMITS ON ADMISSIONS

Recommendation 43. That the New York City Board of Education and the Mayor urge the New York State Commissioner of Education to rescind any directive or guideline which limits the admission of minority youth to some City schools.

In an effort to maintain integrated schools and stem the decline of white enrollment, State Commissioner of Education Nyquist issued guidelines limiting the admission of minority students to certain schools. Specifically, the Second Circuit Court of Appeals remanded the case to the District Court to review several components of the choice of admission plans. The evidentiary hearings have been adjourned at the plaintiff's request because they want to see how the new high school admissions' procedures will impact on the schools. Mayor Koch agrees with the Commission that limits on admissions on the basis of the student's race, ethnicity, religion or gender are inconsistent with the principles of equal treatment and fairness, and he believes that any quota restriction should be eliminated. He also believes that the Board of Education should determine the stance to be advanced in the current litigation.

CUNY

Recommendation 44. That funds be designated to CUNY to ensure continuation and expansion to all eligible first year students of the Summer Pre-freshman Skills Immersion Program.

The City University supports this recommendation. The 1987-88 Executive Budget Request for the State includes $750,000 to fund this program at the University's ten senior colleges. The purpose of this program is to provide intensive remedial instruction to entering students who do not meet minimum proficiency standards in reading, writing and/or mathematics on the CUNY skills assessment test. It also eases the transition from high school to college.

The results of the 1985 pilot program and of the 1986 summer program show that this approach is successful. Students who complete the program spend less time taking remedial courses in their freshman year than non-participants, earn significantly more credits in their freshman year than non-participants and have a higher retention rate than non-participants.

Last summer's results show that "English as a Second Language" (ESL) students entered with lower test scores and made smaller gains than students with native-speaker language proficiency. In view of this, CUNY is asking each of its colleges to provide a separate ESL component in the 1987 summer program.

Recommendation 45. That child care programs be increased at CUNY campuses to allow single parents the flexibility to attend school.

CUNY agrees that there should be an increase in child care programs at City University. The availability of child care services on campus helps student parents remain in college. This is especially the case with a student population which is either 25 years of age or older and single, female, head-of-household and minority. The need for quality child care programs on campus far exceeds current services.

BOARD OF EDUCATION

Recommendation 46. That the Mayor and each of the borough presidents form separate screening panels for their appointments to the Board of Education. The screening panels will include parents and educations, who reflect the racial and ethnic mix of the City. The screening panel's function will be to actively recruit, interview, and submit nominations of eligible candidates. The final appointments will be made by the Mayor and the borough presidents from the list of qualified candidates.

Under the current system where the Mayor only appoints two of the seven members of the board, a screening panel is not necessary and would be inappropriate. To delegate this authority, or to in anyway restrict the Mayor's power to appoint the two people best suited to serve, would unduly restrict the mayoral prerogatives and his ability to influence policy in the area of education. Just as it would be inappropriate for any mayor to delegate to any group his authority to select commissioners or agency heads, so too it would be inappropriate for him to delegate his power to appoint two members of the Board of Education. Mayor Koch believes that, particularly in so critical an area as education, he must be free to select those people who most closely reflect his view of educational priorities. In making his appointments to the Board of Education, the Mayor has made it his practice to solicit advice and recommendations from a wide variety of groups and individuals who reflect the full spectrum of City opinion and representation. The Mayor will continue this practice.

The Mayor has supported and will actively pursue legislation that would expand the membership on the Board of Education to 15 and provide that ten of those members would be mayoral appointees. The Mayor also believes that this legislation should establish a screening mechanism to assist him in finding the best individuals to fill the ten positions. A screening process designed for merit selection has been successful in other areas when there are large numbers of mayoral appointees. Mayor Koch's merit selection process for the appointment of judges has received wide acclaim. We currently employ similar systems for the choosing of City Marshals and commission members appointed under Section 46 of the City Charter. In every case the appointments have been viewed as of the highest quality and the percentage of minorities and women appointed to the judiciary have surpassed those of any other appointing authority in the country (1985 National Survey by the Committee on Modern Courts).

Recommendation 47. That the Mayor introduce legislation which would make this selection process mandatory.

Mayor Koch will revise the bill described in response to recommendation 46 to incorporate a merit selection process similar to that used for the selection of judges.

Recommendation 48. The voluntary compliance to this selection procedure be sought until legislation is passed.

Until the board is expanded the Mayor will not delegate his Board of Education appointment responsibilities to others. Finally, as the Commission knows, Mayor Koch opposes quotas based on race or ethnicity or on any other inappropriate criteria. Consistent with that view, the Mayor would never, formally or informally, designate the particular position on the Board of Education as a black, Hispanic, Asian or white representative. Satisfying these competing demands for representation would be numerically impossible with only two mayoral appointments and, although perhaps theoretically possible with ten, would still be absolutely inappropriate. Rather, the Mayor would rely upon a screening process based on merit and emphasizing affirmative action. A similar process, as demonstrated by the record of judicial appointments, has resulted in increased number of minority and female appointees.

Recommendation 49. That the Mayor commence discussions with the UFT and the community school boards for the purpose of introducing legislation requiring that 75 percent of all those elected to community school boards be parents who reside in the school district.

The Board of Education and Chancellor Quinones have asked for a comprehensive review of the role and structure of Community Boards. One of the aims of this review would be to increase parental involvement in Community Boards.

Mayor Koch agrees with the Commission that structural changes in the community school board system are required. The community school board elections are a disgrace. The voter turnouts are dismal (about 7 percent of those eligible); the proportional representation system is unduly complicated; the results are skewed by the pressures from special interest groups and the entire election process is wastefully expensive. Assemblyman Jose Serrano has proposed important legislation to reform the school board election process. It offers us an opportunity to salvage the community school board concept. Mayor Koch supports the following key elements of the Serrano plan: the direct election of school board members, establishment of a code of ethics; campaign financial disclosure requirements; and, the neutrality of Board of Education employees in local school board elections. The Mayor's unqualified endorsement of the Serrano Plan awaits only an analysis of how this new system of elections would impact minority representation on our local school boards. But Assemblyman Serrano and the Mayor share the goal of increasing that representation, and Mayor Koch will be working with the Assemblyman to see that this measure is enacted.

Recommendation 1. That the Mayor issue an executive order creating the Hispanic Economic Development Office (HEDO) which would replace the Office of Business Development's (OBD) Hispanic Business Office. HEDO would report directly to the Deputy Mayor for Finance and Economic Development. This new office would have primary responsibility for advocating on behalf of Hispanic businesses for economic development in the City's Hispanic neighborhoods through existing City economic development entities and in cooperation with the newly created Hispanic Public Benefit Corporation. While not assuming any of the authority of the existing economic development agencies, HEDO would move the decision-making accountability to a higher level than currently exists and would enhance its advocacy abilities through a direct reporting relationship to the Deputy Mayor

Recommendation 2. That an advisory board be established to work with the Deputy Mayor for Finance and Economic Development to define and assign priority to the needs of the Hispanic business community and to define HEDO's staffing, budget and other needs. HEDO must be adequately funded and staffed with experienced and competent officials. After the establishment of HEDO, the Board would serve in an advisory capacity to the agency.

Recommendation 3. That HEDO assist in the development and growth of merchants'associations and local development corporations in Hispanic communities by providing technical services and targeting available City resources meant to assist such organizations.

Recommendation 4. That HEDO serve as a resource center for information regarding the City's Hispanic business community through the collection and analysis of data for use in programmatic decision-making.

The city and the Hispanic Commission share the desire to see that the Hispanic business community grows, prospers and participates fully in the city's economic development programs. The city believes that these common goals can best be attained by creating a new Division of Economic Opportunity within the Office of Business Development (OBD). Although some Hispanic businesses are large, there are also many small Hispanic firms which require new initiatives to ensure that they take full advantage of the city's economic development programs. This division, to be headed by a new Assistant Commissioner for Economic Opportunity, will outreach to Hispanic and other small and minority businesses, advocate on behalf of these businesses and communicate their specific needs and concerns. The city intends to commit substantial new resources to this effort, and a detailed budget is being developed.

As part of this effort, the city will establish an Advisory Board composed of Hispanic businesspeople and community leaders to aid the city's economic development team in setting priorities and developing strategies to address the needs of the Hispanic business community.

Specifically, the functions proposed for the Hispanic Economic Development Office are, and will be, carried out as follows:

- Advocate on behalf of Hispanic businesses in general, and guide individual firms which need assistance from one of the economic development agencies: OBD's new Division of Economic Opportunity is designed to ensure that Hispanic and other small and minority businesses are aware and take advantage of the programs the city has to offer. Under the direction of the Deputy Mayor for Finance and Economic Development, the city's Economic Development team -- OBD, Financial Services Corporation (FSC), Public Development Corporation (PDC) and Ports, International Trade & Commerce (PITC) -- is charged with using its varied resources to recommend policies and design, implement and administer programs, projects and services geared to meet a multitude of economic development needs, whether through business advocacy, technical assistance, financing or real estate development. These services are performed on a citywide, community, industry and firm-specific basis. The Division of Economic Opportunity is not intended to duplicate the city's existing economic development services, but instead to outreach and be an advocate for Hispanic and other small and minority businesses. It should also be noted that an effort has been made tin the economic development agencies to hire Spanish-speaking staff in all areas.

- Act as a liaison to the Hispanic business community: In addition to acting as am advocate and guide through the economic development programs and agencies, the Division of Economic Opportunity will provide a means through which Hispanic and minority business communities can communicate their needs, issues and policy concerns to the economic development agencies and the Deputy Mayor's Office. In addition, the new Advisory Board will provide the city with an ongoing opportunity to discuss the concerns and suggestions of Hispanic leaders.

- Publicize the city's economic development programs to the Hispanic community: OBD currently conducts outreach to the Hispanic community through the Hispanic Business Office and Spanish language editions of OBD's marketing brochures. These outreach effort will be increased through the expanded resources of the new Division of Economic Opportunity. In addition, OBD will expand its existing Spanish language ads with a Spanish language radio and newspaper advertising campaign to publicize the services to businesses offered by the city.

- Play an active role in assisting the development of local merchants' associations and local development corporations (LDC's) and insure that they receive needed technical assistance: Since 1978 the city has contracted with over 78 LDC's through its Commercial Revitalization Program, approximately 30 of which have operated in the Hispanic community. The city helps other merchants' associations and local groups to form LDC's, publishes brochures and manuals, and holds workshops which offer technical assistance to these associations and their members.

- Gather information on the nature and the needs of the Hispanic business community: The Commission found the need for better information concerning Hispanic businesses and their contribution to the city's economy. To fill this information gap, OBD will undertake a study of New York City's Hispanic business community. This study will provide essential information to the city and the Advisory Board of Hispanic business leaders in designing programs which best meet the needs of Hispanic businesses.

The city and the Commission share the goal that Hispanic firms make full use of the city's services and programs for business, and the creation of the Division of Economic Opportunity will serve to ensure that this goal is achieved. In addition, the participation of an Advisory Board of Hispanic leaders will assist the city in assessing the effectiveness of existing economic development programs and, where necessary, in retargeting programs and services and formulating new initiatives.

Recommendation 5. That education and technical assistance programs sponsored by OBD for the Hispanic business community be transferred to HEDO. Such programs should be reviewed by an independent consultant to ensure that they provide training that assists Hispanic businesspeople in dealing with actual business problems.

The Commission is correct that most small businesses, including Hispanic businesses, require additional training in modern business practices. One of OBD's principal objectives in the current fiscal year is to upgrade and target the variety of technical assistance services that OBD makes available to businesses.

Although room for improvement clearly exists, OBD's experience is that its seminars for small and emerging businesses have been well run, informational and appreciated by those in attendance. The seminars are very focused and provide specific and practical technical assistance. As recommended, OBD does survey the participants for feedback concerning how worthwhile the seminars are, what additional information they would like to receive, etc. While the overwhelming number of responses have been extremely positive, OBD will evaluate any constructive critique in order to improve upon these seminar in the future.

OBD has begun to target many of these business training seminars to Hispanic businesses. This is done through the use of Spanish-speaking experts and/or translators. OBD held two Supper Seminars in 1986, specifically targeted to Hispanic merchants attended by 225 local businesspeople. Topics included city services and the purchase of city-owned land; financing; marketing and advertising; merchandising and leasing. These seminars are given in the evening in easily accessible central meeting places in local neighborhoods. Plans are underway to provide two additional Spanish language Supper Seminars in 1987 in East Harlem and Williamsburg.

OBD's Merchant Advisory Program provides business experts who visit businesses on-site to give advice and written reports to individual businesses. This was done in Spanish for local businesses in three areas in

1986: Manhattan Valley, Smith Street in Brooklyn and 37th Avenue in Queens. Approximately 60 Hispanic-owned businesses received individual counseling from a variety of experts, including among others an architect, an insurance broker and an advertising agent. OBD has also recently translated its Security and Merchant Advisory Program brochures into Spanish, and other translations are in progress.

The Commission is correct in its assessment that "marketing" or "networking" forums should be distinguished from educational seminars. However, the former also serve a vital function: to inform businesses of the variety of programs that the city offers and provide them with the opportunity to establish relationships with purchasing agents for public agencies and private firms. One such conference, the Hispanic, Minority and Women-owned Procurement Conference, was held in June and attracted approximately 1,000 attendees. Which most city agencies and local businesses were appreciative of the opportunity it provided to learn about contracting opportunities and potential vendors, OBD is aware that some attendees were dissatisfied with the conference. OBD is committed to improving upon the format and content in the future.

Recommendation 6. That a more focused effort be made by OBD together with the HEDO to have Hispanic construction firms registered as Locally-Based Enterprises. If this effort is unsuccessful, the City must submit state or local legislation to adopt programs similar to that of the State and federal government which requires set-asides for minority business enterprises on City construction sites.

At the current time the LBE program, which is under the auspices of the Mayor's Office of Construction, is initiating a number of actions to increase its outreach efforts. These include:

-- Additional mailings of LBE program information to firms identified in various lists or registries as being either minority-owned or economically disadvantaged. Those lists include the Department of Environmental Protection's compilation of minority and woman owned firms; the Transit Authority's minority and disadvantaged business enterprise directory; the Office of Economic Development's Minority Business listing, and the New York State Department of Transportation's Disadvantaged and Woman's Business Enterprise Registry. As additional listings are identified, they will be provided with mailings.

-- Expansion of public service media coverage about the LBE Program on Spanish speaking radio and television stations.

-- Expansion of information about the LBE program in Spanish publications.

-- Development of a bilingual subway poster to advertise the program more widely. This is a follow up to our 1985 poster effort, which was only in English, and resulted in substantial increases in new firms joining the program.

-- Participation in local Hispanic community groups and special events to offer more information about the LBE program.

Mayor Koch is opposed in principle to the notion that certain percentages of governmental contracts should be "set-aside" for individuals or companies based on the race, ethnicity, religion, or gender of the individual or the principals of the corporation. While the administration will comply with state and federal legislation that establishes set-aside programs that are based on these types of factors, the city will not implement a city program using city money in this fashion. Mayor Koch believes that the track record of the city's LBE program demonstrates that minority businesses can flourish under a program that targets local businesses.

Recommendation 7. That the HEDO and OBD aggressively market the newly enacted Small Business Enterprise program by supplying Hispanic businesses with a tax listing of all categories of goods purchased by each City agency. If such efforts produce few results for Hispanic businesses, as with the Locally-Based Enterprises program, the City must adopt a similar set-aside program in the services area.

OBD has prepared the Small Business Enterprise (SBE) marketing materials in Spanish for mass distribution to Hispanic businesses, trade associations and local organizations. SBE reporting from city agencies will include information on past, present and anticipated contracts for goods and services. There will also be an SBE liaison at each purchasing agency and these names can be made available to Hispanic and other businesses. The city has adopted a policy against set-asides based on race, ethnicity, religion or gender (see number 6 above).

Recommendation 8. That OBD with HEDO expand the Space Bank to include retail space for small businesses which employ less than ten persons. A pilot program should be developed in order to identify the administrative difficulties in setting up such a referral program.

OBD's Space Bank currently has 3,000 listings totalling over 60 million square feet of industrial and commercial space. There is no lower limit of ten employees for firms using the Space Bank as the Commission report states. The type of space that is listed is limited only by that which is received by the office. The Space Bank has listings as small as 500 square feet. As the Commission accurately states, "given the rapidly changing character of the small retail real estate market, such property listings are difficult to compile."

OBD has committed, however, to enhance its efforts to help retailers find space. The Real Estate Business Organization listing mentioned in the report was an early attempt to introduce retailers seeking space to local merchant associations who are aware of the availability of such space. With consolidation of the Commercial Revitalization program into OBD, OBD is asking local development corporations to keep close tabs on vacant retail space in their jurisdiction. These local development corporations and their geographic areas will be listed in the Space Bank, so that an entrepreneur looking for retail space in given neighborhoods can speak to the local development corporation directly. In addition, OBD is compiling a list of retail brokers for dissemination.

Recommendation 9. That the Mayor and the Manhattan Borough President recommend to the State that a Hispanic subzone be added to the currently submitted Opportunity Zone for East Harlem.

OBD agrees with Commission's recommendation to expand the Economic Development Zone to include Spanish East Harlem. OBD submitted a final application to the state on March 2nd including the subzone, and has already discussed with state officials the proposed expansion. OBD is also working with City Planning and HPD towards a rezoning of portions of the East Harlem area to assist in industrial and commercial development.

Recommendation 10. That the Mayor appoint an advisory committee of Hispanic businesspeople and community leaders to work with the city in the future implementation of the New York State Economic Development Zone Act.

On a regular and ongoing basis, the city works with local community boards and local organizations in the development of the Economic Development Zone program for the areas which the city is proposing for zone designation by the state. In addition, the city will work with the new Advisory Board of Hispanic business leaders, in implementing the State Economic Development Zone Act.

Recommendation 11. That the Board of Directors of the Public Development Corporation (PDC) create a committee to work with HEDO to encourage the development and implementation of programs for minority businesses. The committee would also work with the HEDO to improve PDC's outreach efforts, increase program activity, enhance development initiatives, and provide better relations with the Hispanic community. This committee should present a concrete plan of action to the Board of Directors within three months.

At its September meeting, in anticipation of the Hispanic Commission's report, PDC's Board of Directors considered the formation of a committee on Small and Minority Business Development. As envisioned, the committee would be charged with the following mission:

-- Assess the needs of small businesses, particularly those owned by minorities;

-- Evaluate PDC's current programs and technical assistance initiatives to insure that these programs are taken advantage of by small and minority-owned businesses;

-- Oversee the development and implementation of programs for small and minority businesses;

-- Improve PDC's outreach efforts, increase program activity, enhance development opportunities and improve PDC's relationship with the Hispanic, Black and other minority communities;

-- Assist in the recruitment of qualified Hispanics for appointment to the PDC Board of Directors.

At its March meeting, the Board of Directors will be asked by the President to form such a committee. As a first priority, the committee would review the Hispanic Commission's recommendations.

Recommendation 12. That, in determining whether an overriding public purpose exists for a sole source land sale in East Harlem and other disadvantaged Hispanic neighborhoods, PDC must include a review of whether the sale will maintain the Hispanic integrity of the community, involve the significant use of Hispanic businesses and create jobs for community residents. HEDO should be responsible for providing such information and input to PDC and other relevant agencies. If the City decides to proceed with the sole source sale, then the Hispanic community or Hispanic developer must also be given the right to bid competitively on the land. This right to bid would also be made available to non-Hispanics who meet this criteria. This would, in effect, convert a sole source purchase into a restricted bid sale or a request for proposals with the Hispanic bidder being held to all the same criteria as any other interested party.

To implement their recommendation concerning PDC's land disposition practices, the Hispanic Commission recommends that, before a negotiated sale is concluded in Hispanic neighborhoods of the city, local Hispanic businesspeople be given the opportunity to purchase the parcel. In effect, the Commission's recommendation calls for the implementation of a right of first refusal for disposition of land within these areas.

Current city policy already affords a preference to local businesses which seek to purchase adjacent city-owned land or to purchase property which they lease as city tenants. Approximately one-half of PDC's sales are to such local businesses who desire to expand their business commitment to the community.

However, the city does not believe that implementing a right of first refusal for land sales in certain areas would be in the public interest. The city, through PDC, uses sole source sales of city land to assist firms to relocate or expand in New York City, rather than in New Jersey or other jurisdictions. These projects are chosen based upon economic development criteria which include the number of jobs created or retained and the appropriateness of the development in the community. Implementing a right of first refusal would place the city at the risk of losing these firms and their jobs.

PDC is fully committed to outreach to local Hispanic businesses and consultation with the Hispanic communities. PDC intends to intensify its efforts in this regard. To do so, current PDC procedures will be modified and will include the following:

a. Upon receiving a request for the purchase of a site from a particular firm, PDC will evaluate the proposals based upon criteria concerning the economic value of the project, including;

   -- Level of job creation and retention

-- Economic feasibility of the proposal

-- Consistency with zoning regulations

-- Value of the project to the community

-- Company's prior commitment to, and level of presence in, the community.

b. Letters will be sent to the public officials in the area, including the Community Board, informing them of PDC's intention to sell a particular parcel. This will happen prior to entering the formal ULURP process for small sales that are carried out through PDC's Real Estate Sales Program. In the case of large scale developments implemented through the Request for Proposals (RFP) process, where possible, PDC will contact these officials before the issuance of an RFP.

c. PDC's Real Estate Committee and Board of Directors reviews and approves the sale. The Real Estate Committee will now include the Chairman of the newly created Small and Minority Business Development Committee.

d. Community Board reviews and approves the project, which is designed to help PDC insure the project is in the best interest of the area.

e. Board of Estimate reviews and approves the project.

f. PDC executes the contract of sale.

Of course, the routinely followed procedures that are in place for all land sales, including Inspector General review and Disposition Committee action, will also be adhered to for these projects as well.

In the past, PDC has worked with HPD, DRP and other city agencies to formulate master plans for an area's redevelopment. In doing so, PDC is able to evaluate an area's strengths and weaknesses, assess what city resources are available to further the area's rejuvenation, and devise and implement a well-rounded strategy to spur new development.

PDC intends to undertake such an effort in the proposed state Economic Development Zone in East Harlem. The purpose of this is to determine the properties available for development in the area and to involve the local community -- primarily through the Community Board -- in the development of a disposition and revitalization strategy. This program will further open the process and will lead to the implementation of a carefully planned development program. It may be appropriate to have the new Small and Minority Business Development Committee of PDC's Board of Directors play a major role in this process.

Recommendation 13. That Hispanic membership on the PDC Board of Directors be increased and that the Board work closely with HEDO in improving PDC's outreach efforts and enhancing Hispanic development initiatives.

The Chairman and 15 members of PDC's Board of Directors are appointed by the Mayor -- five based upon the recommendation of the Vice Chairman of the City Council and five based on selection by the Board of Estimate. The remaining 15 members are appointed by the Chairman. Appointments are made at the Board's Annual Meeting in May, with the terms of officers lasting for one year. PDC will solicit the resumes of Hispanics to recommend for appointment to the Board of Directors for future vacancies and requests that the Hispanic Commission assist in this effort by forwarding the names of appropriate candidates.

Recommendation 14. That the Financial Services Corporation (FSC) assist small to medium-sized Hispanic businesses through pooled Industrial Development Bonds. Five of these packages should be issued to Hispanic businesses in fiscal year 1987 and 10 in fiscal year 1988.

As suggested by the Commission, FSC and IDA are taking steps to utilize composite tax-exempt bond issues. FSC and IDA have contracted with a financial advisor to assist in the design, marketing and structuring of pooled and composite tax-exempt bond issues with the goal of making IDA bond issues more available to small medium sized firms.

Unfortunately, the Tax Reform Act of 1986 has raised the transaction costs of issuing tax-exempt industrial development bonds (IDB's) by making it less profitable for banks, the traditional purchasers of IDB's, to hold these bonds. Although a composite tax-exempt bond issue will lower transaction costs, it is unlikely that the costs will be lowered sufficiently to make this vehicle financially attractive for substantially smaller financing needs than before the Tax Reform Act.

FSC has a number of other financing programs that are designed to assist those firms whose capital needs are too small to make IDB's attractive. In 1986, FSC made a number of changes to the Revolving Loan Fund (RLF) program to reduce the financing requirements and fees in order to make this program attractive to small firms. As a result of these changes, in the first six months of fiscal 1987, the 15 loans approved by the Board of Estimate had an average size of $164,000. From program inception through December 1986, the average RLF loan was $253,000. Twenty-six projects have involved firms with fewer than 20 jobs.

The Industrial Retention and Relocation Program, which provides moving expense grants and financing assistance for leasehold improvements, is particularly helpful to small firms forced to relocate because of real estate market pressures. From program inception through November 1986, the average firm size has been 35 employees and firms with as few as five employees have received grants. The average moving expense grant amount is less than $50,000.

The Energy Cost Savings Program provides energy cost reductions to both big and small firms. There have been a number of firms in the program which have five or fewer employees.

The efforts of the new Division of Economic Opportunity and increased Spanish language advertising will assist Hispanic businesses to take full advantage of these financing programs.

Recommendation 15. That the City increase the budget of the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC) to $3 million in 1987, in order to provide loan guarantees to Hispanic construction firms. Further, if SMOC is to work, City officials, including the Mayor, must strongly urge financial institutions to provide working capital for companies participating in the program.

Recommendation 16. That the budget for the Small and Minority-Owned Construction Firm Working Capital Loan Guarantee Program (SMOC II) be increased to $3 million in fiscal year 1987. FSC, working with HEDO, should retain complete responsibility for the program.

Recommendation 17. That City officials, including the Mayor, strongly urge financial institutions to provide working capital for companies participating in SMOC.

As the Commission recommends, FSC is developing a reworked version of the Small and Minority-Owned Contractors Working Capital Assistance Program (SMOC II). The new program will concentrate all programmatic aspects of the program within FSC and a separate unit will be established to focus staff and resources. Although the program design has not been completed, the goal of the revisions is to involve more small and minority businesses. FSC is examining relaxing the eligibility requirements, providing additional forms of assistance and increasing the resources and staff devoted to the program. FSC expects to have a program design completed by July 1, 1987.

Recommendation 18. That the Financial Services Corporation, working with the HEDO, develop a working capital loan program for firms doing business with the City as suppliers or contractors. Such loans will be secured by a lien on receivables and inventory rather than simply fixed assets. The need for such a loan program is too great for the Hispanic business community to rely solely on the State's program. The City should study the specific type of loans that are needed by New York City's Hispanic businesses and have a working capital loan program in the place by July 1987 for those contracting with the City. The decision-making on loan applications should be made by FSC in consultation with HEDO.

FSC currently has several working capital program proposals under review. The most recent efforts have been in the area of documenting unmet needs and designing the appropriate mechanism to address these needs. FSC is examining the efficacy of loan guarantees and interest subsidies, as well as the feasibility of buying participation in loans by private institutions. FSC expects to have a program design completed by July 1, 1987.

Recommendation 19. That the outreach efforts of the Financial Services Corporation be evaluated on a yearly basis by an independent consulting firm to determine the effectiveness of its programs in the Hispanic business community. For those financial assistance programs identified as ineffective, FSC should work with HEDO to better target them or eliminate them. The

results of such a review should be analyzed by HEDO and specific recommendations made for improvement of the record.

FSC is committed to reach out to all segments of the New York business community and is redoubling its efforts to reach the Hispanic and other minority businesses. As part of this effort, FSC has printed its marketing brochure in Spanish and has published ads in El Diario. In addition, FSC has project staff fluent in Spanish. FSC will review the results and recommendations of the study of the Hispanic business community to be undertaken by OBD and will work with the new Advisory Board of Hispanic business leaders to analyze and improve the effectiveness of FSC's programs in assisting Hispanic businesses.

Recommendation 20. That the City auction parcels of land in economically disadvantaged Hispanic communities through a restricted auction process. The auction terms should require that the land be used in a manner consistent with the character of a particular Hispanic community and that the developer seek to maximize the use of Hispanic businesses in the construction of the project. Such auction restrictions and any necessary legislation should be developed by Division of Real Property, Department of General Services in conjunction with HEDO.

The Division of Real Property (DRP) is seeking to expand the number of city-owned parcels made available for sale each year and intends to tailor more of these sales to the specific housing and economic development needs of the city and its neighborhoods. As recommended by the Commission, these sales will take the form of restricted auctions where the use of the site and the development schedule will be strictly defined and monitored.

In disposing of city property the city is committed to working with the community, and this consultation will be a feature of the proposed restricted auction program. The city will invite the ideas of community boards, local organizations and neighborhood business leaders in order to structure restricted auction terms that are consistent with the needs and goals of the community.

In all neighborhoods, DRP makes coded maps and city inventory listings available to the local community board. Where there is interest in a community, DRP also offers additional technical assistance, e.g. by holding a 'Pre-Sales Meeting' where potential purchasers of city property are invited to come and have their questions answered. Finally, DRP widely advertises its auctions in the city's print and radio media, including El Diario.

Finally, it should be made clear that the city does not, as a matter of policy, attempt to preserve a certain ethnic character in a particular neighborhood. Even though it may be recognized that a certain neighborhood is now predominantly Jewish, or Italian, or black, or Hispanic, the city cannot and should not attempt to preserve that character by keeping others of different ethnic or religious backgrounds out of that neighborhood. While it is entirely appropriate for the city to attempt to protect a community's current residents from dislocation if the neighborhood is undergoing transition, this type of intervention is not based on race, religion or ethnicity.

Recommendation 21. That the Department of Ports, International Trade and Commerce develop a plan for the creation of a new Hunts Point facility on the 60 acres next to the Hunts Point Market. This facility would provide an incubator for small, innovative firms and space for additional wholesalers. Specific efforts should be made to attract Hispanic wholesalers and Hispanic businesses which meet the criteria for such incubator space.

The Department of Ports, International Trade and Commerce supports the Commission's recommendation and is in the process of developing such a plan.

As a first step, the Department will conduct a financial analysis of the facility to estimate construction costs and rental requirements. The analysis will determine the amount of private capital required and whether any public funds will be needed to support affordable rentals for small wholesalers. Once the parameters for development are known, an RFP will be issued to design and construct the facility. The RFP will require the developer to provide at least 50 percent of space in the facility for individual merchants approved by the Department. The criteria to be employed will encourage small firms which otherwise might not have access to Hunts Point. The RFP will be widely advertised and a special effort will be made with assistance from the Office of Business Development to reach Hispanic businesses.

Reserving half the facility for tenants other than the developer can achieve two goals. First, it can strengthen Hunts Point by providing readily available space. A comparison of the Hunts Point Market with New Jersey facilities has shown that Hunts Point is superior in every way, except the current availability of ready-to-use space for new tenants.

Second, it will provide space for small merchants who have limited access to large wholesale markets such as Hunts Point. These wholesalers may choose to form a cooperative lease agreement if it can provide common benefits for their operations.

Recommendation 22. That the City and appropriate legislative bodies make the changes necessary to redesign the procedures for the purchase of small parcels of City land for economic use to eliminate existing delays.

As the Commission notes, the city's public review and approval process is lengthy and can prove difficult for small businesses seeking to purchase city-owned land. A PDC project manager is assigned to assist firms through the public review process which includes Community Board, Borough Board and Board of Estimate approval.

As discussed in more detail below in the section on the Commission's recommendation for the creation of Hispanic Public Benefit Corporation, the city will explore the feasibility of state legislation to create a public benefit corporation with the power to shorten the existing review process in order to accomplish projects in the city's low-income neighborhoods.

Recommendation 23. That the Mayor appoint an advisory group to recommend legislative and regulatory changes that will enable the small and medium-size businesses to receive an expeditious response as to whether small land purchases of City-owned land can be made. The study group should submit its report to the Mayor within six months.

Recommendation 24. That, in order to address the expressed frustration at the process of acquiring land from the City, there be regular communication with the interested purchaser and with other relevant agencies involved with the process. If the particular site is unavailable, there needs to be additional outreach to help Hispanic businesspeople obtain alternative sites.

Before PDC can work with a firm to sell the firm a city-owned parcel, the prospective sale must be reviewed by the city's interagecy Disposition Committee to ensure that no city agency needs the parcel for its operations. After review by the Disposition Committee, a hold is put on the parcel, signifying that PDC has a project to sell the parcel to the interested business. On the other hand, if the Disposition Committee finds that the parcel is needed by a city agency, then PDC will not begin work on the sale and will inform the firm that the parcel is not available. In these cases, PDC will work with the firm to find an alternative site. Throughout the process, the PDC project manager strives to keep the prospective purchaser fully informed.

Recommendation 25. That the City's principal economic development agencies continuously work toward assuring that affordable retail space for essential services is available in all neighborhoods. HEDO together with the appropriate City agencies should report to the Mayor within six months as to how this can be accomplished.

The Administration has recently submitted legislation to the City Council which would amend the Administrative Code by adding a new chapter entitled: Regulation of Commercial Leases. The Chapter would require, at the request of retail and service tenants who occupy less than 10,000 square feet, that landlords enter into mandatory negotiation and non-binding mediation to discuss the possibility of lease renewal. Additionally, the Chapter would give tenants the right to one-year extensions on their leases, with a limit of a 15% increase in rent, in the case that lease renewal cannot be agreed upon.

This legislation has been introduced in response to the findings of the Small Retail Business Study Commission, which was created in May 1985 by the Mayor and the City Council. While the Commission found that rent pressures do not constitute an emergency, there was evidence that rapid changes in rent may cause hardship to many small retailers who depend upon specific enterprises for their livelihoods.

Through mediation and lease extension, the legislation will facilitate the adaptation of small retail establishments to current market conditions, without seriously undermining the market system of commercial space allocation.

VACANT IN REM BUILDINGS

Recommendation 1. That the City preserve 70 percent of its vacant in rem buildings for low and moderate-income housing in the South Bronx, East Harlem, the Lower East Side, Williamsburg, Sunset park and Jackson Heights. This percentage reflects the Mayor's budgetary set aside for low and moderate-income housing set forth in the Mayor's Ten Year Plan.

HPD shares the concern of the Commission and is committed to rehabilitating vacant City-owned housing. Our goal is to fashion programs to meet the varying and diverse needs of the City's neighborhoods.

The $4.2 billion contained in the Mayor's Ten Year Plan earmarked 64 percent of the funding to benefit low-income households (up to $15,000) and 21 percent of the funds for moderate-income households ($15,000 to $25,000). A total of 85 percent of all Ten Year Plan funds will go to these two income-level residents City-wide.

The Mayor's Ten Year Plan calls for the rehabilitation of 16,000 vacant and 36,000 occupied in rem units for low-income households and 10,000 vacant units for moderate-income households. The Mayor's Ten Year Plan also provides for construction of 7,000 ownership units for moderate-income households and is targeted to buildings throughout the City. To the extent that a neighborhood includes vacant in rem buildings, those buildings will be the focus of rehabilitation efforts. However, it is premature for us to commit a specific number of buildings to be rehabilitated in any neighborhood.

Neighborhoods and local needs vary; some neighborhoods, because of the type of housing stock and the level of achievable rents, may require a larger amount of City subsidy than other neighborhoods. Given the variance, it is not reasonable to target percentages of units in given neighborhoods that will be rehabilitated for specific income groups.

The City recently announced some new initiatives aimed at producing 5,200 units of affordable housing in vacant in rem buildings to meet the target set in the Mayor's Ten Year Plan affordable to low and moderate income New Yorkers. The Vacant Building RFP will create 3,400 new units throughout the City with several site parcels located in East Harlem. In addition, the Construction Management program will create another 1,800 units on two sites in the South Bronx and Harlem. Another program using the Local Initiatives Support Corporation ("LISC") is in the planning stage. This effort will provide equity and technical assistance to not-for-profit groups to develop and manage 1,000 units of low-income housing. These three initiatives utilize vacant in rem buildings, but with a different emphasis depending upon the type of building, site size and various income ranges and mixes for the residents.

In addition, the number of vacant in rem buildings in the City or any neighborhood is fluid. Today's stock will be different from next year's stock. This is due to the fact that our stock is created by vesting which

occurs after non-payment of taxes. We do not know which buildings will fall into our jurisdiction. In this context, our plans are modified to accommodate the fluidity.

Recommendation 2. That the City reserve 70 percent of its vacant lots in the South Bronx, East Harlem, the Lower East Side, Williamsburg, Sunset Park and Jackson Heights for construction of moderate and middle-income housing, the funds of which will be used to subsidize low-income rehabilitation.

HPD is currently evaluating available and potential vacant land for assembly for housing and will make every effort to use this property to increase the housing stock in those neighborhoods of concern to the Commission. After carefully scrutinizing the City's portfolio, we will be in a better position to provide a clearer picture of the possibilities.

While the City owns many vacant property lots, many are not suitable for new construction. In areas such as Williamsburg, Sunset Park and Jackson Heights, the City has recently completed its inventory of vacant lots and determined there are few buildable sites. These lots will be used for other purposes such as economic development or other pressing City needs. In other neighborhoods, housing sites would have to be assembled before a significant number of buildable sites could be developed.

Where assembled building sites have substantial market value, we are ready to explore use of that resource by disposing of the property at no dollar cost, and taking back the value of the property in low and moderate-income housing units on or off site.

EAST HARLEM DEMONSTRATION PROJECT

Recommendation 3. That the City establish a demonstration project in East Harlem to rehabilitate 70 percent of its 2,790 vacant in rem units for low and moderate-income housing. That as a part of the East Harlem demonstration project, HPD develop a community plan aimed at using vacant in rem housing to stop Hispanic displacement in that community.

The proposed demonstration project was formulated as the result of several meetings between HPD and the Commission's Housing Subcommittee. HPD agreed that a demonstration project would help to preserve neighborhood housing stock and meet the housing needs of that community. To the end, an Agency Task Force comprised of Deputy Commissioners Jack Olivero, Mark Willis, Robert Moncrief and Assistant Commissioner Phillip Weitzman was established and will closely review HPD's vacant in rem housing portfolio. As stated above, HPD cannot commit to a specific figure.

Recommendations 4-5. That as part of the East Harlem demonstration project, HPD dispose of vacant in rem buildings through the following mechanisms:

- o A private Hispanic business organization that could develop and manage affordable housing in cooperation with community-based organizations.

- o A general contractor or construction manager who could renovate the units pursuant to a contract which sets forth the total cost. The contract could also specify that upon completion of the units, the general contractor or construction manager would sell the units to a community-based organization for a set price. The funds for this purpose would be provided by the City.

- o A neighborhood mutual housing association that could develop and manage affordable rental units.

The Commission suggested three mechanisms for disposing of buildings in the demonstration project. All three are under serious consideration by the Task Force. The Task Force will examine the realistic feasibility of each option. HPD's initial response to the options is a function of the funding level for developing low and moderate-income housing. More specifically, with regard to the first option, City-owned property is not disposed on a sole-source basis and any business organization, including Hispanic business organizations, must adhere to the guidelines for disposing of City properties through an open, fair and orderly process. As for the second option, in HPD's experience, the construction manager model assumes a significant cluster of buildings within a specific geographic range to be most effective. In terms of the third option, mutual housing requires capital for its formation. The Lower East Side through the Mutual Housing Association was funded through HUD discretionary money, Neighborhood Reinvestment Corporation and other monies raised. To establish a mutual housing model in East Harlem, HPD would suggest seed money be obtained through either private financing, the Neighborhood Reinvestment Corporation or a foundation. Once established, we would be happy to work with the group. The Task Force should also consider a fourth option: subsidizing low and moderate-income housing by sales of either land or buildings.

Recommendation 6. That HPD use the East Harlem demonstration project as a model to develop neighborhood plans to guard against Hispanic displacement by direct or indirect City actions in the following areas: the Lower East Side, Williamsburg, Sunset Park, the South Bronx and Jackson Heights.

If the East Harlem demonstration project is successful and if the basic housing portfolio of the other communities is similar, we will use it as a model for other neighborhood plans. However, we should caution that a wide variety of factors contribute to a successful project.

Recommendations 7. That HPD initiate corporate sponsorships of particular in rem buildings that are suitable for sweat-equity rehabilitation of low and moderate-income housing.

The City has assisted small-scale sweat-equity projects in the past and will continue to do so in the future. Community organizations are welcome to solicit funding from private corporations for sweat-equity projects. As much as we encourage sweat equity projects, our experience shows it does not produce significant numbers of apartments. These projects should be used in conjunction with other major programs.

OCCUPIED IN REM BUILDINGS

Recommendations 8-9. That the City allocate funding to HPD's Division of Alternative Management (DAMP) and other property management programs to enable them to expand cooperative conversion of occupied in rem units. That HPD make an aggressive outreach effort to recruit more predominantly Hispanic buildings into the Division of Alternative Management and other property management programs.

HPDs Neighborhood Preservation Offices located throughout the City are the locally-based information and referral source for all New Yorkers interested in HPD's housing programs. More specifically, DAMP programs are well equipped to handle applications from Spanish-speaking groups. DAMP has many bilingual staff members (including both of the Tenant Interim Lease ("T.I.L.") Intake Coordinators). Standard printed materials on the programs are distributed in Spanish and training and orientation courses are held in Spanish several times each year.

DAMP programs are open to applications from any group of organized tenants in a City-owned building. During Fiscal 1985 and 1986, intake of new buildings into DAMP programs was higher than it has been at any time since the first two years of DAMP operation: 236 buildings with 6,049 apartments entered DAMP between July, 1984 and June, 1986 and DAMP is continuing to grow.

The majority of DAMP buildings in the City are located in Community Boards with high percentages of Hispanic families. We estimate that 50 percent of the approximately 50,000 tenants who have participated in DAMP programs since 1978 are Hispanic. Of the 21 groups in the Community Management Program, eleven manage buildings with predominantly Hispanic tenancies and are run by Hispanic staff. Many of the 331 buildings which presently participate in T.I.L. and the 175 buildings already sold to their tenants through T.I.L. (again approximately half) have Hispanic tenant association officers.

PERMIT PROCEDURES

Recommendation 10. That in performing its duties to streamline the procedures related to housing construction and renovation, the Mayor's Office of Housing Coordination focus on facilitating the participation of small Hispanic businesses, contractors and developers in the City's housing initiatives.

HPD is working with the Mayor's Office of Housing Coordination regarding streamlining permit procedures. The streamlining most heavily impacts small businesses and will thus favorably benefit Hispanic businesses. As recommended in the report of the Mayor's Panel on Affordable Housing (April 1986), the improvement of City processes, liberalization of zoning and the building code, elimination of restrictive labor practices, among others, are posed as viable avenues to cut procedural red-tape.

In addition, there are two other avenues available for Hispanic businesses. The first is the Mayor's Office of Hispanic Affairs that can assist and expedite the process for Hispanics doing business with New York City. HPD, through its Equal Employment Opportunity Office, also sponsors workshops for minority contractors to provide orientation to the Emergency Repair Program.

MAYOR'S TEN YEAR PLAN

Recommendations 11-12. That HPD, and such private entities as the New York City Housing Partnership, include Hispanic developers, contractors, bankers, entrepreneurs and financial brokers in the implementation of the Mayor's Ten Year Plan. That HPD provide training to Hispanic developers, business people and community-based organizations that wish to respond to requests for proposals.

HPD agrees that Hispanic developers, contractors and business professionals should be made more aware of developments. We are offering to provide informational sessions to a wide array of public and private sector groups. In our October 3, 1986 letter to the Commission, HPD suggested technical assistance in the form of public information and outreach as a way to enhance Hispanic participation in the process. We encourage Hispanic financial institutions to co-sponsor with HPD public information sessions. HPD will also furnish speakers to focus on two areas: programs and procedures. HPD staff will explain the major programs such as rehabilitation loans, small homes and the Partnership. In conjunction with streamlining procedures, our speakers will explain the process of application, contract requirements and necessary clearances for approvals.

HOMELESSNESS PREVENTION AND HOUSING COURT

Recommendations 13-17. That the City, using State and local funds, establish an expanded homelessness prevention legal representation project in Hispanic communities such as the Lower East Side, East Harlem, Williamsburg, Sunset Park, Jackson Heights and the South Bronx. To carry out the following tasks:

- Represent all eligible individuals regardless of their citizenship status.
- Develop and implement criteria to identify those public assistance and low-income clients who are most likely to become homeless.

- o Develop and implement plans to train marshals, court personnel and appropriate HPD and Human Resources Administration personnel on how to use the established criteria to make referrals to the project.

- o Staff the project with Spanish-speaking attorneys, paralegals and support staff.

That HPD and the Human Resources Administration ("HRA") work with the Office of Court Administration ("OCA"), Chief Administrative judge Joseph Bellacosa and Judge Israel Rubin, Administrative Judge of the Civil Court of the City of New York, to develop administrative processes to maximize the effectiveness of legal representation of low-income Hispanics and to physically integrate HRA's emergency relief units into the Housing Courts of each borough.

That all stipulations between landlords and tenants in which the tenant agrees to give up their apartment be explained before a judge to ascertain whether the parties actually understand and agree to the terms of the stipulation.

That sufficient interpreters be available to assist where necessary in all Housing Court proceedings, including the settlement process.

That bilingual Housing Court notices, including those informing tenants that a default judgment has been entered against them, be sent in all cases.

HPD shares the Commission's concern over Hispanic displacement and homelessness and has taken a number of steps to address the problems identified by the Commission.

HPD presently funds a number of Neighborhood Law Offices (community law offices and SRO anti-harassment office), including East Harlem, the Lower East Side, Brooklyn and the Bronx, which are particularly sensitive to eviction and harassment of Hispanics. These Neighborhood Offices also work hand in hand with the State Division of Housing and Community Renewal ("DHCR") to combat harassment.

The OCA of the Civil Court has a program to recruit bilingual court officers, clerks and interpreters for court duty.

Bilingual Housing Court notices, including those informing tenants that a default judgment has been entered against them, have been printed and will be available for use shortly.

HPD and HRA worked together to institutionalize a program to assign social workers to Housing Court to address eviction and homeless prevention. The program is being implemented on a City-wide basis.

(Note: Any procedural recommendations addressing the adjudication of Housing Court cases fall within the jurisdiction of the Office of Court Administration.

The Housing Court Dispute Resolution Project operates in Brooklyn, Bronx and Manhattan Housing Courts. The program is jointly run by HPD, HRA and the Fair Housing Task Force and is staffed by fair housing counselors. The program is designed not only to facilitate resolution of routing housing problems by using trained mediators, but also to be an integral part of HPD's Fair Housing Strategy. By working directly in Housing Court assisting the judges, trained mediators are able to help prevent large numbers of low income and minority tenants from being displaced, to provide landlords and tenants with the help they need in establishing schedules for payment and repairs and to assist in assuring that the existing housing stock is maintained and upgraded.

Through our Fair Housing Task Force, a coalition of federal, state local and public-interest groups, we assist in combating discrimination by:

i. educating New Yorkers about the nature of housing discrimination;

ii. providing fair housing counselling services City-wide;

iii. expanding the City Commission on Human Rights' Fair Housing Division; and

iv. providing, in appropriate cases, direct access to federal or state court through a private law firm.

Recommendation 18. That the New York City Commission on Human Rights initiate investigations concerning housing discrimination against Hispanic buyers and renters in Staten Island and other boroughs

In March 1986, the Fair Housing Division of the City Commission on Human Rights reviewed a two-year grant from H.U.D. to "test" selected areas throughout the city to ensure that housing is made available to minorities. The areas of concentration were those which historically have excluded many minorities including Hispanics. The Commission on Human Rights has indeed targeted Staten Island for this type of investigation. CCHR will continue its systemic work not only in Staten Island, but in all parts of the city where minorities are systematically excluded.

Recommendation 29. That the New York City Commission on Human Rights make special outreach efforts into the Hispanic community to inform them of their legal rights as prospective buyers or renters of real property.

The Commission or Human Rights agrees that more needs to be done to inform and assist Hispanic citizens. In 1986, only 20% of the total CCHR caseload was filed by Hispanic complainants. This number clearly does not adequately reflect the problems faced by Hispanics in this city in the their quest for decent housing. The Commission encourages all advocacy groups, including the Hispanic Commission, to refer any and all allegations of housing discrimination to the Fair Housing Division. The Fair Housing Hotline (212-946-7000) was established several years ago to provide 24 hour-a-day access to the Fair Housing Division. The taped message is in both English and Spanish and, during regular office hours, several bi-lingual investigators are available for both hotline and intake duties. All publicity and outreach by the Commission and the New York Fair Housing Task Force have been done in English and Spanish.

CHAPTER 4: HISPANIC PUBLIC BENEFIT CORPORATION

That the City prepare and introduce legislation creating a Hispanic Public Benefit Corporation based on the powers provided to the New York State Urban Development Corporation. Such an idea has been endorsed in principle by groups which have thought seriously about long-term solutions that would enhance Hispanic economic development and housing availability. The Hispanic Public Benefit Corporation will have several powers including assembling and selling publicly owned sites and buildings through the request for proposal process or on a negotiated basis, waiving local building codes and zoning requirements if compliance is not feasible, hiring personnel in a manner which is exempt from Civil Service law requirements, etc.

The Commission is correct in its belief that the variety of public reviews and approvals which are mandated in New York City slow the pace of the development process and can act as a disincentive to development, particularly in the city's low-and moderate-income neighborhoods. On the other hand, limiting community participation and waiving zoning would raise serious issues of public policy. In response to the Commission's recommendation, the city has decided to explore the creation of a public benefit corporation with expanded powers to undertake development in the city's low-income neighborhoods. The Economic Development Zones which the city is proposing for designation under the State Economic Development Zone Program (East Harlem in Manhattan, South Jamaica in Queens, East New York in Brooklyn, and Port Morris in the South Bronx) may prove to be appropriate areas for such a public benefit corporation to be authorized to exercise expanded powers.

As the Commission notes, creating such a public benefit corporation would require state legislation. The city will analyze the form such a public benefit corporation might take and discuss the feasibility of its creation with state legislative leaders.

At the same time that the city is designing this public benefit corporation and exploring its feasibility, the City will also pursue a concrete plan that will accomplish many of the goals of the corporation -- the more rapid development of affordable housing and the initiation of solid economic development projects, especially in the city's low-income and minority neighborhoods, and greater opportunities for Hispanic entrepreneurs, developers, and community-based organizations to participate in these projects. The city is committed to enhanced efforts to achieve these goals, as follows:

-- The Department of Housing Preservation and Development has recently issued the Vacant Building RFP which will create additional housing units throughout the city. In East Harlem, 160 new units are expected to be created through this program initially. Additional programs currently funded or underway in East Harlem will generate nearly 500 units of new construction or newly rehabilitated housing.

-- Under the guidance of the Public Development Corporation Board's new Small and Minority Business Development Committee, the city will initiate a comprehensive disposition program in the State Economic Development Zone proposed for East Harlem. PDC, in consultation with DGS's Division of Real Property, will inventory city-owned property zoned for commercial or industrial uses in the proposed Economic Development Zone for East Harlem and will develop a phased and orderly disposition plan. Throughout the development of the plan, PDC will work with the local community to receive their input and ideas. The plan will contain several elements:

a. a proposed master plan for the uses of the parcels;

b. a proposal for the method of disposition of each parcel, i.e., auction, restricted auction, RFP, etc.;

c. a marketing and outreach plan to assure that Hispanic and other minority developers, entrepreneurs, and community-based organizations are fully informed with respect to opportunities; and

d. an appropriate technical assistance component to complement the marketing and outreach plan.

The City believes that this approach will achieve concrete results in spurring development and involving local organizations in the process.

Recommendation 1. That all companies receiving City subsidies or tax benefits for economic development projects be required to provide training for the unemployed. The Commission proposes that the Mayor prepare an executive order that would require that a specific number of training opportunities be provided for a particular amount of subsidies received. If necessary, legislation should be introduced to established such a program.

Providing jobs for unemployed city residents is the highest priority for the city's economic development programs. The city strives to achieve this by targeting economic development benefits to those firms which provide the greatest number of low and moderately skilled employment opportunities and by training and referral services which prepare low- and moderate-income New Yorkers to compete successfully for these jobs. The city believes that this targeted approach is more effective than a blanket requirement that each firm receiving city assistance directly provide training.

The city's financial assistance programs operated by FSC are a prime example. Most companies receiving FSC assistance are small firms which offer low and moderate skilled employment opportunities. An Employment and Training Specialist visits each firm regarding their employment projections and the variety of employment services which FSC and the Private Industry Council can provide. These services include wage subsidies for on the job training for disadvantaged workers, screening and referral services, classroom training, customized training for firms with special training needs, and federal tax credits for hiring members of economically disadvantaged groups. In many cases, firms sign First Source Agreements under which they agree to use Private Industry Council Referrals of economically disadvantaged persons as their first source for all their hiring. As a result of these efforts, 63 percent of the jobs in firms receiving FSC assistance are held by low-and moderate-income individuals and 58 percent for the jobs are held by minority workers.

In addition, OBD works with individual firms and also with entire industries to fulfill their need for trained workers. As one example, OBD worked with the furniture industry and the Federation Employment and Guidance Service to establish the Furniture Training Institute to prepare economically disadvantaged city residents to fill entry level positions in the industry. Since its inception in July 1985, 108 individuals have completed training, with 103 successfully placed in entry level jobs.

Recommendation 2. That job-related English classes such as Basic Occupational Language Training program be expanded to give the increasing number of limited English speaking ability workers a better opportunity to enter the job market.

Virtually all DOE's training efforts are supported through Job Training Partnership (JTPA) funding and Hispanics are served in proportion to their size among the eligible population. However, these programs are forced to serve the most job reach not only because "it reflects a reasonable desire on

the part of the DOE to maximize their limited funds," (page 116) but also because course time is limited to meet federal requirements to qualify for the approximately $3 million available in annual incentive awards. In fact, Puerto Ricans, who are the neediest of the Hispanics, do not have the most severe language barriers to employment. However, BOLT might be appropriate in some cases. Accordingly, DOE will contact those contractors who serve primarily Hispanics to gather their ideas on this issue. Depending on the survey results, DOE will determine whether the BOLT program should be expanded.

Recommendation 3. That City Works funds currently used for purchasing building materials be redirected to create additional training opportunities for young persons.

The City agrees with the Commission that City Works funds should be redirected to create training programs. In response Commissioner Bustelo's request, the Law Department has now given its opinion that capital funds can be used to cover the brick and mortar costs of City Works.

Recommendation 4. That the Mayor urge the Governor and State and City legislators to allow trainees to be paid trainee-level wages on State construction sites.

The Construction Training Program embodied in EO 50, while not perfect, has been an important tool in increasing the employment of economically disadvantaged (primarily minorities and women) in construction. The decision of the Commissioner of the State Department of Labor, Lillian Roberts, that on State construction sites trainees (who are equivalent to apprentices) receive journey-level wages, if not overturned, will result in the end of training programs on state projects and will seriously hurt our training program. The decision on its face will diminish employment and training opportunities since contractors traditionally move trainees from City to State jobs. Thus, fewer trainees will be needed and, as a result, fewer economically disadvantaged persons will be trained, thus decreasing their chances for jobs in construction and closing another door for employment in general.

Currently, the Commissioner's decision is under legal challenge. Briefs are currently being prepared for submission to the Courts of Appeals. The Law Department is submitting an amicus brief and the Bureau of Labor Services has organized sixteen (16) civil rights and other groups to submit an amicus in support of the program.

Recommendation 5. That the Bureau of Labor Services establish a Trainee Support Unit to coordinate trainee programs and provide support and provide support to trainees on construction sites under E.O. 50.

The City agrees with the Commission that there is a need to develop support systems for trainees. Trainees are not evaluated or counseled; there is no orientation program to prepare them for construction work; nor are trainees provided with help when they have problems on the job. The Bureau of Labor Services accepts the Commission's recommendation that a Trainee Unit be

established within the Bureau. A BLS proposal to create such a Unit is currently under review by Personnel and Budget.

It should also be noted that the Bureau is in the process of computerizing its operations. One of the programs will profile each trainee. Once the system is operational, BLS will have a complete demographic analysis of the trainees. To date, all the information is compiled and held by the various training providers, the largest being the New York Plan for Training, Inc. (the Plan). These organizations do not keep statistics on black and Hispanic participation. The new computer program will enable BLS to track the trainees according to ethnicity and thereby to provide better service to its participants and to better measure program effectiveness for different groups of trainees.

UTILIZATION ANALYSES

Recommendation 1. That City agencies conduct utilization analyses by job titles as part of their EEO reporting responsibilities. To conduct these analyses, each agency should calculate the available work force in the job titles used and determine the extent of Hispanic underrepresentation. These analyses should be instituted in the first quarter of 1987.

Utilization analyses are an effective means of determining whether there is underrepresentation in a specific title and such analyses should be performed. The City agrees that this type of analysis should be conducted as part of an enhanced EEO program. We believe, however, that this review should be done by the central EEO office rather than individual agencies for several reasons:

-- census data is not clean and neat and does not fit squarely with our job titles. Judgments will have to be made about the appropriate census data to be used, including the appropriate geographic area to determine labor pool statistics. To have each agency perform such analysis would result in different judgments and standards.

-- there are over 1100 job titles now in use. Most are competitive civil service titles and are used in more than one agency. Agencies have no control over the racial, sexual or ethnic characteristics for this portion of their work force. These employees are appointed as a result of civil service examinations.

-- to the extent that agencies hire from other than competitive lists (provisionals, non-competitives, labor class positions) agencies can develop utilization analyses in conjunction with the central EEO office.

-- because of the number of job titles and the large amount of census data involved these analyses cannot be completed in the first quarter of 1987. Rather, analyses should be made for those titles for which civil service exams are being prepared and for certain discretionary titles as well.

Recommendation 2. That, using these analyses, the City require agencies to develop specific remedial plans where such underutilization of Hispanics is statistically significant from the relevant availability figure.

The City agrees that remedial plans should be developed where the underrepresentation is severe. However, because most positions are for competitive civil service titles, the specific remedial plans should be developed by the central EEO office, nor the agencies in question.

Recommendation 3. That remedial plans be monitored on a quarterly basis to ascertain whether they have been carried out.

The City agrees that these should be periodic monitoring. reviewed, given the length of the hiring process in the City. Accordingly, the City believes that plans should be monitored on a semi-annual basis.

Recommendation 4. That if Hispanic representation does not increase, the agency be required to implement changes in its remedial plan.

If Hispanic representation does not increase, the agency or central EEO office would be required to review its remedial plan and make appropriate modifications. The modifications will be directed solely at the outreach effort -- i.e., affirmative action -- and will not consist of the establishment of quotas or goals, timetables, and sanctions based on race, religion, gender or ethnicity. Just as the mere fact that a particular disadvantaged ethnic group is overrepresented from a percentage point of view compared with their percentage of the entire City's population in a certain title or workforce does not mean that recruitment within that ethnic group should cease, so too the mere fact that an ethnic group is underrepresented does not mean that the recruitment is totally inadequate. The City's commitment is to undertake aggressive affirmative action -- to examine underrepresented titles to ensure that all reasonable steps are taken to bring qualified applicants into the applicant pool for unbiased consideration based solely on the merits.

EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (EEO)

Recommendation 5. That the responsibilities of the Government Employment Division of the City Commission on Human Rights be transferred to an office which is directly accountable to the Mayor. This office should have the resources to effectively assist agencies in their efforts to recruit Hispanics for discretionary hiring, to increase the number of Hispanics taking civil service examinations, to analyze the EEO efforts of City agencies on a year-to-year basis, and to recommend sanctions regarding those agencies which do not cooperate with minimal EEO practices.

The City agrees with the central assertion in the Commission's recommendation namely that in order for the City to effectively monitor equal access to employment programs, an EEO Office should be established which centralizes all the EEO functions currently scattered among different agencies in the City. Part of the problem in developing appropriate EEO plans and monitoring compliance is the dual and sometimes triple reporting requirements, the different standards of review and the different goals of the several oversight agencies. Accordingly, the various multiple reporting requirements must be eliminated and standardized in one office. Plans must be developed and monitored consistently by one office.

For the proposed EEO Office to be effective, it must coordinate the recruitment, examination, discretionary hiring process and statistical data gathering and analysis functions. The centralized EEO Office should be responsible for: (1) utilization analyses; (2) development and review of agency remedial plans; (3) recruitment plans for agency discretionary hires; (4) recruitment for civil service exams; (5) training and coordinating agency EEO officers; (6) auditing and monitoring agency EEO programs; (7) Federal/state statistical submissions and (7) all other related functions.

The appropriate location and structure of the equal employment opportunity office has not been decided. The Citywide EEO Committee, chaired by First Deputy Mayor Brezenoff, is reviewing various options. At the same time, the Mayor has asked Jeremy Travis to undertake a review of the City's Human Rights Commission, where the EEO function is now housed. We expect that these issues will be fully debated within the next two months and the City will announce the results of these discussions by the end of April.

It would be inappropriate for the EEO office to recommend sanctions for agency heads who failed to cooperate with the EEO program. While the EEO office should bring such failures to the attention of the First Deputy Mayor and the Mayor, the remedial steps taken vis-a-vis the agency head lie entirely within the discretion of the Mayor.

Recommendation 6. That the new Mayoral EEO Office be given authority to approve EEO Officer appointments, that it take responsibility for training and evaluating those officers, and that it ensure that EEO Officers have adequate resources to effectively perform their functions.

The EEO office would be given authority to review EEO officer appointments, would train and evaluate EEO officers and would work with the Office of Management and Budget to ensure that EEO officers have adequate resources to perform their functions.

GENERAL RECRUITMENT

Recommendation 7. That a working group be established to identify 25 titles to be the focus of a special Hispanic recruitment campaign. The working group should report to the Mayor in six months on specific steps to be taken to overcome the underrepresentation in these titles.

The City agrees that small number of titles should be the focus of a special effort. The titles to be targeted for special Hispanic recruitment should be identified after considering several factors. First, the upcoming examination schedule must be considered -- it would not be beneficial to target a campaign for a title for which an exam was just given. Second, the utilization analysis will show whether there is underrepresentation in the title. Finally, hiring statistics in the last several years must be considered to determine if underutilization results from a historic pattern that no longer exists. The Department of Personnel is best suited to identify the titles. A report to the Mayor on specific steps to be taken to overcome underrepresentation in these titles will be made within four months of identifying the titles.

Recommendation 8. That the City enhance recruitment of Hispanics for competitive positions through more focused outreach, effective advertising and assistance in examination.

With the exception of certain large exams (e.g., police, fire, sanitation), the City's recruitment efforts consist of a campaign to provide general knowledge about the City's hiring processes to as much of the City's population as possible. This campaign covers how to apply for tests, how long

it will take before there is a list, etc. The effort has included on-site visits to schools, community-based organizations, career centers, plus the distribution of the monthly exam schedule with the requirements for each title and a brief job description. These efforts will continue and additional recruitment efforts will be undertaken.

Recommendation 9. That City outreach efforts be evaluated by questioning applicants and those hired to determine the most effective strategies for recruitment Hispanic candidates.

The City agrees that this type of survey could prove useful in determining the effectiveness of recruitment and outreach programs. A questionnaire will be prepared and all applicants and new hires will be asked about the most effective strategies for recruiting candidates.

Recommendation 10. That the Department of Personnel, the Mayor's Office, agency EEO officers, the CCHR and other relevant agencies combine efforts to devise strategies for additional recruitment efforts to attract Hispanic candidates.

A working group chaired by the Department of Personnel, and, if necessary, with assistance from outside consultants will devise strategies for attracting Hispanic candidates.

CIVIL SERVICE EXAMS

Recommendation 11. That the Department of Personnel advertise the schedule of City civil service exams in the major newspapers including Spanish-language and other newspapers.

A program for advertising civil service exams in major newspapers and foreign language newspapers will be undertaken. The advertisements will list open competitive exams. This program's effectiveness will be evaluated as part of the questionnaire discussed above.

Recommendation 12. That the City sponsor, either directly or indirectly, through community-based organizations, preparation courses for Hispanic candidates wishing to take City exams that address both the substance of the particular exam and the candidates' fear of failure.

For two reasons, the City is reluctant to adopt the recommendation for a large-scale program of preparation for Hispanics. First, preparation courses that address the substance of a particular exam and the candidates' fear of failure could not be limited to Hispanics but would have to be open to all candidates. Also, since the City gives approximately 100 open competitive exams each year, this would involve a significant cost. Prior to implementing a less extensive version of this approach, we would want to target titles where the program would have maximum impact. First, we must determine whether Hispanics are applying for exams consistent with their numbers in the labor pool. If certain exams are not attracting appropriate numbers of candidates, then those exams should be targeted. Such data is not now available, but will be once the utilization analysis is completed (see Recommendation 1). Then

applicant flow data should be analyzed to determine actual need. Then the City would offer preparation courses as part of a remedial plan. While these steps will delay the institution of any training programs, it will ensure that any training programs undertaken actually meet the needs of the candidate population.

DISCRETIONARY HIRES

Recommendation 13. That each Mayoral agency notify the Mayor's Talent Bank when filling a vacant discretionary position. If the Bank is notified only after the agency has a candidate, the agency should not be permitted to proceed with the hiring absent an explanation.

All vacancies are currently required to be posted with the Department of Personnel and with the Mayor's Talent Bank. Most discretionary hires are already pre-audit and therefore this recommendation is currently in place.

Recommendation 14. That agencies be provided with a list of mandatory recruitment sources developed by the City-wide EEO Office in conjunction with the Mayor's Office of Hispanic Affairs and the Bureau of Labor Services, that must be contacted regarding vacancies. The Mayor's EEO Office should conduct a review of the agency's recruitment efforts prior to approval of the hiring by the Mayor's Office. By providing the list in advance, EEO recruitment efforts should not seriously delay the hiring schedule.

The central EEO Office, drawing upon the work already done by the Bureau of Labor Services, will develop a list of recruitment sources to be used by agencies when filling discretionary vacancies. However, to give the EEO Office pre-audit authority will seriously delay hiring. The EEO Office will conduct a post-audit of recruitment efforts and, if a problem is identified, the particular agency can be placed on pre-audit status.

Recommendation 15. That the City place regular advertisements in The New York Times and other newspapers with classified employment sections directed at senior professional vacancies. By using regular format and location, the City's advertisements will receive more attention from a wider variety of people and help the City's efforts to hire Hispanic professionals.

Placing regular advertisements directed at senior professional vacancies in The New York Times and other newspapers is part of a project currently underway in the Office of Operations. The project is seeking to have ads from all City agencies placed together under a New York City banner, to improve the copy in the ads and to have ads placed in a variety of New York City papers in order to reach a wider audience.

Recommendation 16. That the City regularly send minority and non-minority senior officials to graduate schools in public administration, education, and business and certain undergraduate institutions. The visits should include a presentation of the opportunities for creative and interesting work for professionals in the City and be followed by interviews on campus and in the City.

City officials currently go to graduate and undergraduate schools to inform the students about opportunities in New York City Government. The central EEO office will coordinate this function and evaluate the possibility of including additional schools.

MANAGERS

Recommendation 17. That the Mayor direct the Department of Personnel to devise a management internship program leading to the interns becoming managers in City government. Recruitment for the program should be targeted at Hispanics in graduate programs and in the private sector.

Proposals for management internship programs have been consistently supported by all concerned. However, any program must be carefully structured so it does not violate the State Civil Service Law as an illegal circumvention of currently existing competitive career paths to management positions. The City is committed to developing such a program and the Mayor has asked the Department of Personnel, the Office of Operations and the Special Advisor to the Mayor to submit a proposal within two months. Any program devised will operate within the limits of the Civil Service Law or the City will determine what changes in the law are necessary and will seek relief from the legislature.

Recommendation 18. That the First Deputy Mayor for Operations report to the Mayor within 90 days on changes in the ways in which managers are hired through the civil service process which would facilitate the employment of Hispanic managers. The Commission recommends that the City provide more open competitive exams and redesignation of feeder titles. Should any of these actions necessitate changes in local or state law, the First Deputy Mayor should recommend necessary amendments to existing civil service law or the State Constitution.

The Department of Personnel will direct a task force made up of the Mayor's Personnel Office, the Office of Management and Budget, the Law Department and the Office of Operations. The task force will evaluate the current system for the appointment of managers and make proposals that would facilitate the hiring of more Hispanic managers. The task force will report to the First Deputy Mayor within 90 days.

Recommendations 1-3: That HHC formally designate as a top priority the recruitment and hiring of qualified Hispanic for high level policy making positions. That HHC establish a formal selection panel of Hispanic health professionals to organize systematic recruitment of qualified Hispanic hospital administrators. The selection panel will be responsible for conducting searches for top level policy and administrative positions. HHC would provide the selection panel with resources to conduct national searches, as well as searches in Puerto Rico and Spanish-speaking countries. The selection panel would then submit resumes to HHC for consideration. HHC should report to the panel on the decisions made on its recommended candidates. That HHC undertake an active and ongoing effort to recruit qualified Hispanic administrators by hiring professional recruitment agencies and formalizing ties with Hispanic professional organizations.

We fully agree that the placement of Hispanics in high level policy and administrator positions is an important element in assuring that HHC understands and responds to the needs of the Hispanic population that its facilities serve. In fact, HHC has been sensitive to this issue in the past and has reached out to identify appropriate candidates. HHC has several Hispanic Executive Directors and Corporate Vice Presidents and continues to make efforts to increase the number of Hispanic professionals, using Hispanic Executive Search firms and professional organizations to assist them. Nonetheless, more Hispanics are needed in leadership positions at HHC and we would appreciate any assistance the Commission can give to identify candidates.

Recommendations 4-6. That HHC vigorously monitor the recruitment and retention of Hispanic medical students at the teaching hospitals it contracts with. That HHC scrutinize and approve the affiliates' equal employment opportunity efforts for medical students before it signs all affiliation contracts. That HHC include specific provisions in its affiliation contracts to require that physician recruitment and placement reflect the language needs and cultural background of the clients in each hospital's catchment area. That HHC scrutinize and approve the affiliates' equal employment opportunity efforts for medical residents before it signs all affiliation contracts.

First, it is important to understand that HHC does not contract with its affiliates for medical students as implied. While affiliate medical students may receive a portion of their clinical training at HHC facilities, they do not provide training at HHC facilities, they do not provide unsupervised patient care services and HHC does not pay for their presence. HHC does contract with affiliated medical schools, voluntary hospitals and professional corporations for the provision of residents, attending physicians and other professional staff. Recruitment and retention of Hispanic and other minority house staff and attending staff by affiliates is vigorously monitored by HHC. On an annual basis, affiliates are required to submit staffing profiles which clearly identify the number and percentage of Hispanic staff whose positions are funded through affiliation contracts. In addition, affiliates are

required to annually submit EEO Reports along with Affirmative Action Plans. These reports and plans are reviewed and approved by HHC's Office of Equal Opportunity prior to the awarding of Affiliation Contracts. In instances where affiliate performance have been less than optimal, HHC has limited the term of contract renewals and assisted affiliates in the development of targetted recruitment plans to attract additional minority staff.

Recommendation 7. That HHC and the City allocate funds to provide training for culturally sensitive treatment techniques and Spanish-language skills to all physicians working in hospitals where 10 percent or more of the patients are Hispanic.

HHC agrees that more needs to be done to address the special cultural needs of various ethnic groups served by HHC. Therefore HHC is developing a cultural sensitivity course for trainees and educators from every facility. In addition, on a pilot basis, they will conduct an intensified cultural sensitivity course for selected employees at Elmhurst Hospital, which we could then replicate throughout the HHC system.

In the past few months we have also expanded the staffing resources of the Mental Health Interpreter Training project, allowing us to provide service to more hospitals on a more timely basis. This program provides two weeks of on-site training at 13 HHC facilities (11 hospitals and 2 NFCC's) for those non-clinicial bilingual staff members and volunteers who are currently serving, or may be interested in serving, as interpreters for English-speaking clinicians and non-English speaking patients.

Recommendation 8. That the Health and Hospitals Corporation appoint more bilingual mental health professionals

The Health and Hospitals Corporation agrees with the Commission that HHC should place a high priority on recruitment of Hispanic residents within the psychiatric departments of HHC affiliates. To expand the pool of Hispanic residents HHC has created, as recommended by the Commission, a pre-residency program for psychiatry at two hospitals, Harlem and Elmhurst. In the first phase of this program, currently under way at Harlem Hospital, three of the six participants are hispanic. The Corporation expects that in the second phase at Elmhurst, there will be an equally high participation of Hispanic participants. (This program is described at greater length in answer to recommendation 12-13).

Recommendation 9. That HHC, in conjunction with the City, formally designate the Hispanic population as a high priority for receiving specialized care with the mental health system.

HHC is developing alternative means of working with Spanish-speaking mental health patients. As described above, they developed and implemented a pilot training program for ad hoc interpreters to train bilingual staff at Bellevue in the skills of interpreting and in psychiatric interviewing and diagnostic principles. The pilot was completed and deemed successful. We are expanding this program is being expanded to provide such training in the mental health programs in all HHC facilities. The program will be evaluated

after one year and HHC will consider expanding such training to general care programs -- both inpatient and outpatient.

Recommendations 10-11. That HHC establish a formal selection panel of Hispanic mental health professionals to organize a systematic recruitment program for qualified bilingual and bicultural professionals in this field. HHC should provide the selection panel with resources to conduct thorough national searches as well as searches in Puerto Rico and Spanish-speaking countries. HHC should report to the panel on the decisions made on its recommended candidates. That all municipal hospitals where Hispanic patients are 10 percent or more of the case load, be required to employ at least one Spanish-speaking psychiatrist and psychologist in each inpatient and outpatient mental health unit.

With the exception of Harlem and Queens Hospitals, the remaining nine HHC acute care facilities were found to have at least 10% Hispanic patients on their caseload. A survey was conducted of each of these hospitals to ascertain their level of psychiatrist staffing; all of the nine qualifying hospitals meet this minimum standard with the exception of Coney Island and North Central Bronx which do not have a Spanish-speaking psychiatrist on their outpatient services. In fact, at the present time, Woodhull, Bronx Municipal, Lincoln, and Kings County Hospitals far exceed this minimum standard. Regarding Spanish-speaking psychology staffing, Kings County, Bellevue, Woodhull, and North Central Bronx Hospitals fully satisfy the Commission's recommendations. The remaining five facilities fall short of compliance, but this has more to do with recruitment and retention problems than anything else. Since the limited number of Spanish-speaking psychologists are very much in demand, many are opting for higher paying jobs in the voluntary sector. HHC staff attend the monthly meetings of the Council of Psychology Directors where the problem of identifying and recruiting Spanish-speaking psychologists is routinely discussed and strategies are planned for resolving it.

Recommendations 12-13. That HHC establish a pre-residency training program at its institutions for qualifying Spanish-speaking foreign medical school graduates. This program could start as a pilot project in psychiatry for 15 qualified candidates selected through a competitive process. Those selected would participate in a year-long training program and receive a stipend. The goal of the pre-residency program would be to offer these candidates the clinical experience which would make them more marketable in the nationwide matching program. In addition, HHC must make a commitment to offer the top graduates of this program a residency at its hospitals. In return for this opportunity the residents will commit themselves to work at HHC hospitals with a large concentration of Hispanics for a two-year period. That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the pre-residency program and to assist in the program's implementation.

HHC recently established a pre-residency training initiative very similar to the one described by the Commission. We agree that it is most important to start such programs in psychiatry where language and sensitivity to cultural differences are extremely important. In the first phase of this pilot project, HHC provided $48,000 to Harlem hospital to hire 6 Foreign Medical

Graduates (FMGs) to receive extensive training in psychiatry for a one-year period. (The monies are used to provide stipends of $8,000 each, including fringe benefits to the participants.) It is expected that several of the trainees will be accepted into approved residency programs. Three of the six trainees will be Spanish-speaking. The format of the program is such that there will be continuous enrollment; that is, certain pre-residents might be accepted into fully approved residency training programs beginning this July after only six months in the Harlem program, whereas others might not be eligible until they have received the full year's worth of training. We hope to be able to evaluate the program's success by next January. We are also working with Elmhurst Hospital to develop a pre-residency program in their Psychiatry Department. We are very interested in further replicating this program at other hospitals, should the pilots prove successful. The budget impact for each program would depend on the number of participants that the hospital determined it could handle, but would approximate $8,000 per participant. We will monitor this program carefully and will ask the Mayor's Office to work with us on its evaluation.

Recommendations 14-15. That HHC establish a pilot physicians assistant training program at Lincoln and Woodhull Hospital with preference give to Spanish-speaking foreign medical school graduates. That HHC establish an independent committee composed of State and City representatives and medical professionals to monitor the physician assistant training program and to assist in the program's implementation.

The Commission and HHC agree that there is a pool of talented individuals who have graduated from foreign medical schools who, although they have been unable to pass various required qualifications to become certified physicians, could be a valuable resource for the health care system. For the reasons listed below, HHC disagrees with the particulars of the Commission's recommendation and does not support the idea of establishing a physicians assistant training program for these individuals. HHC does believe, however, that these individuals may be particularly qualified to serve in non-physician health-provider positions. HHC will work with these individuals to find appropriate career opportunities for them in positions such as emergency medical technicians, paramedics, quality assurance staff, etc. HHC will make efforts to contact individuals and appropriate representative organizations to facilitate job applications for this group of foreign-trained health providers.

The Commission recommends the development of a Physician Assistant (PA) program designed to retrain Foreign Medical Graduates (FMGs). It is important to understand that in order to practice as a PA in the State of New York, one must graduate from an AMA accredited Physician Assistant Program. The National Commission on Certification for Physician Assistants (NCCPA) has closed the certification examination in 1985 to anyone who has not graduated from such an AMA approved PA program. This makes it impossible to "grandfather" uncertified individuals into the PA profession.

Establishing a special training program would be extremely costly (the cost of training physician assistants per year is no different than that of training medical students) and very difficult. Without an accredited program, "informally trained" P.A.'s could not practice in New York nor in most other states. There are currently six accredited P.A. training programs to which

FMG's could apply; it is interesting to note that many are recognized for their successful recruitment and retention of minority PA students.

Converting FMG's to PAs is not necessarily a prudent course. The New York State Society Physician Assistant (NYSPA), the American Academy of Physician Assistants (AAPA), and the Association of Physician Assistant Program (APAP) have over the years resisted and still remain opposed to viewing the PA profession as a residual profession for an individual who can not qualify for residency training.

PA programs train people for a role in health care that is similar to physicians in some aspects, but critically different in others. PAs are trained to provide health care as dependent practitioners, always under the supervision of a licensed physician.

Recommendation 16. That HHC research and adopt the Los Angles program which uses bicultural/bilingual paraprofessionals to bring the neediest segment of the Hispanic population into the mental health clinics and to maintain their motivation during treatment.

HHC has contacted various individuals within Los Angeles' Department of Mental Health to find out more about this and other similar programs. Los Angeles has developed several audiovisual training tapes on Hispanic-related issues which they agreed to allow us to review. The specific paraprofessional outreach program appears to be similar to the kind of case management and mobile crisis outreach that HHC has initiated in some of our facilities and are working to improve and expand. Once we have gathered the additional information about this program, we will be in a better position to determine what more Los Angeles has done that could be applicable here.

Recommendation 17. That HHC and the Department of Mental Health fund the creation of a Hispanic Research and Training Center at one of its affiliate hospital. The purpose of the Center would be to focus on:

- Evaluation and research on the effectiveness of alternative therapeutic modalities within the Hispanic population. Sponsor research that encourages the development of alternative diagnostic models and therapeutic techniques as an essential component of a vigorous effort to treat the Hispanic population.

- Training HHC personnel on the most effective approaches to treating Hispanic populations including techniques oriented towards coping skills and problem solving. Training is particularly important for non-Hispanic personnel.

There are several strategies that HHC has already undertaken and is planning for in the near future that are designed to achieve the same objective and therefore may obviate the need for a new program. First, the "Hispanic Family Therapy Training Program", jointly established by the HHC Roberto Clemente Center and NYU Medical Center, offers a select group of Hispanic practitioners from municipal as well as voluntary service agencies, intensive training and supervision in Hispanic family therapy techniques.

After three years of coursework, including seminars demonstrations, research projects, audiovisual presentations, case conferences and reading, these students are awarded certification in this sub-specialty. In addition, a "Hispanic Clinical Psychology Internship Program" was established at Bellevue and Gouverneur Hospitals which has an intensive evaluation and research component. Furthermore, the NYS Office of Mental Health (SOMH) is about to issue an RFP for the development of "training institutes" to focus on the topic of mental health services to minority populations. The "Minority Research Development and Training Institutes", as they have been referred to preliminarily, will be centers for the creation, coordination, and dissemination of information, research and educational materials to service providers. Much of the groundwork for this initiative was done by the "Minority Advisory Committee of the NYSOMH", whose membership includes several HHC staff members. The Roberto Clemente Family Guidance Center, operated by Gouverneur Hospital in cooperation with the NYU Medical Center, will be submitting a proposal to establish an institute for Hispanic-relevant concerns.

The Commission recommends that HHC sponsor and carry out research on the effectiveness of particular therapeutic modalities with Hispanic mental health patients. The Corporation, through its Research Review Committee, has already approved numerous research projects geared to investigating the characteristics and treatment needs of its Hispanic patients. Some of these approved protocols involve outside agencies that expressed an interest in visiting the City's hospitals to recruit subjects for their study. Dr. Boufford has asked that the Central Office Research Review Committee to further encourage the hospitals to initiate research investigations on Hispanic-related issues.

Recommendation 18. That the City introduce its successful programs to other HHC facilities. The Roberto Clemente Family Guidance Center is a highly successful demonstration project operated by Gouverneur Hospital and funded by the Department of Mental Health. As a result of its discussion with the Commission, HHC has reported that it hopes to establish a similar program in the Bronx.

HHC is very interested in pursuing this recommendation. Lincoln Hospital has developed a proposal for such a program, that also includes designating an inpatient unit for Hispanic patients. We are working to identify appropriate space either in or near the hospital. Preliminary proposals include a budget of approximately $380,000 in PS costs for a program to provide about 6,000 visits per year. (This is similar to the volume of visits seen at Clemente.) The OTPS, and possible capital costs would depend, in great part, on the site selected.

AIDS

Recommendation 19. That funding be allocated for a massive bilingual public education campaign about AIDS that is aimed at the Hispanic community. That original Spanish-language materials be developed and disseminated through the Hispanic communication and support system.

The Department of Health places a great deal of emphasis on AIDS education for the Hispanic community. The AIDS hotline is staffed by Spanish-speaking personnel; educational literature is bilingual; and meetings with women's groups, community groups and special interest groups are conducted in Spanish throughout the City. The Department of Health has recently hired four Hispanic outreach workers to work with community groups in Hispanic neighborhoods, focusing on I.V. drug users. A bilingual speaker has been hired to speak to appropriate groups about AIDS. In addition, the Department of Health is working with a group of homosexual men of African descent, many of whom are Hispanic, and another outreach worker has been hired to work with Hispanic and Black homosexual men.

Recommendation 20. That community organizations, such as the Hispanic AIDS Forum, be consulted regarding the development of policies and the allocation of funding for programs to address the AIDS epidemic.

The Department of Health holds a regular monthly meeting with community groups, among them the Hispanic AIDS Forum and others serving the Hispanic community. These groups' concerns are discussed and taken into consideration when Department policy is made. Funds have recently been approved for contracting with the Hispanic AIDS Forum and other community organizations for the provision of AIDS-related services.

Recommendation 21. That alcohol abuse be covered in all Board of Education anti-drug programs. That this curriculum be incorporated into bilingual programs.

Alcohol abuse is currently covered in all Board of Education anti-drug programs.

Recommendation 22. That culturally relevant and Spanish-language alcoholism services oriented towards Hispanics be expanded to meet the needs of alcoholics and their families. That these programs focus on the high incidence of alcoholism among Hispanic men.

The Department of Mental Health, Mental Retardation and Alcoholism Services (DMHMR&AS) encourages provider agencies to develop culturally-relevant services. The Department agrees there is a need to develop a focus on culturally-sensitive treatment techniques and should be considered subject to the availability of public funds. Related projects could also serve to coordinate data collection, conduct studies, and issue reports concerning the mental health status of the Hispanic population.

Recommendation 23. That New York City Department of Mental Health, Mental Retardation and Alcoholism Services contract with Hispanic community based organizations to provide outreach services to the Hispanic community.

Expanding outreach services to minorities, including Hispanics, is a priority for the Department of Mental Health. The Department has 283 contracts with more than 150 agencies, as well as 14 Health and Hospitals facilities. Approximately 80 of these agencies have a significant Hispanic caseload (30 percent or more). Over the past two years, several new programs have been started or expanded to serve the Hispanic population, including four alcoholism programs.

Recommendation 24. That City agencies increase Spanish-languate advertisements of alcoholism services and expand Spanish-language campaigns against drunk driving.

The Department of Mental Health, Mental Retardation and Alcoholism Services agrees there is a need for bilingual advertisements and literature. Currently, approximately 80 percent of the agencies providing alcoholism services under contract with the Department make bilingual brochures and literature available to the population they serve. As part of its contract administration, the Department is encouraging agencies to expand these efforts. Spanish language advertisements of alcoholism services have been published in such newspapers as El Diario, El Mundo, El Vocero and La Prensa. Advertisement of alcoholism services have also appeared on the City's Spanish speaking television stations. Another part of the City's Spanish language campaign against alcoholism is a 30 minute weekly radio program on WADO sponsored by the Hunt's Point multi-service center. Finally, literature warning of the dangers and consequences of driving drunk or under the influence of drugs is available in Spanish through the City's Department of Transportation. These publications will be made available to the DMHMR&AS contract agencies and distribution in the Hispanic community is expected to begin this month.

HEALTH STATISTICS

Recommendation 25. That procedures be institutionalized to consolidate health statistics concerning the City's Hispanic population. This could be implemented by contracting with an independent research organization which would use available databases to publish periodic reports.

The Department of Health to believes that the collection of service, as well as vital, statistics along racial and ethnic lines needs to be clearly analyzed, and goals decided upon, before any decisions are made. Decisions about health care allocations and analyses of epidemiological trends need to be made in the context of data concerning all society. The Department of Health, because of its long history of data collection and epidemiological surveillance, is probably best equipped to institute an expanded system, given the resources to do so. Nevertheless, there are many unresolved issues, including the fact that racial and ethnic data are not collected either universally and uniformly, nor are there commonly understood definitions, making data analysis problematic. The Department of Health believes the first step should be to undertake a "state of the data" study. The Department believes that such a study is best performed by an outside research organization. Accordingly, DOH will develop a request for proposals (RFP) for dissemination.

CHAPTER 8: CRIMINAL JUSTICE

DRUG ABUSE

Recommendation 1. That local public officials urge the Governor to expand the number of methadone treatment centers throughout the City and experiment with alternative drugs to accommodate those on waiting lists.

The City agrees that the State should take an active role in providing drug treatment services. On November 24, 1986, Mayor Koch wrote to Governor Cuomo urging him to do all that is possible both to expand and to improve the drug treatment services in New York City. In his letter, the Mayor pledged his full support to assist the State in this undertaking.

One concrete example of the City's support for treatment programs is the Mayor's commitment to Julio Martinez to transfer ten city-owned buildings to the State for use by the Division of Substance Abuse Services (DSAS) and its contract agencies as residential drug treatment facilities. The process of identifying and transferring the buildings is moving forward coordinated by the Office of the Criminal Justice Coordinator with the cooperation of Housing Preservation and Development (HPD). To date, two buildings are about to be transferred (one in the South Bronx and the other in East Harlem) and the remaining eight will be selected from lists prepared by both HPD and DSAS. Approximately eighty buildings are now being reviewed as potential sites to be transferred to DSAS by the City.

Recommendation 2. That prison medical facilities monitor inmates who have received medical attention for drug abuse over an extended period of time to provide the necessary therapy to lessen the chances that the prisoner will revert to drug abuse in prison or after release.

The Department of Correction agrees with this recommendation and recognizes the importance of reducing the evidence of drug abuse within its population. When a person is remanded to the Department of Correction, he or she goes through a series of evaluations, which include a medical evaluation. If within the medical evaluation the Department finds that the person is a drug abuser, then the individual is referred for detoxification.

Detoxification beds are located in four of the Department's institutions. They include:

1. Adolescent Reception and Detention Center (ARDC) at Rikers Island, for young adults ages 16-21.

2. Correctional Institution for Women (CIFW) at Rikers Island, for all women.

3. Anna M. Kross Center (AMKC) at Rikers Island, for all male detainees.

4. Correctional Institution for Men (CIFM) at Rikers Island, for all sentenced inmates.

In addition to the detoxification personnel, the individuals are also evaluated by the Mental Health Section, which is supervised by Montefiore Hospital. Staff makes sure that the individual is in no psychological danger and is not suffering from depression and does not have any suicidal tendencies that might lead to harm.

Those individuals involved in detoxification also have the opportunity for individual counseling and participation in group sessions from such programs as Phoenix House and Project Return. Further, if the detainee is with the DOC system long enough, the Department tries to refer the individual to a drug-free program before he/she is released.

With regard to the sentenced inmates, particularly those who are going into the State system, each individual has a complete medical evaluation which is given to the State for follow-up. The medical evaluation also indicates whether the individual is or was a drug user.

In the calendar year 1986, of those admitted to detoxification at CIFM, 46% of 4,600 were Hispanic males. In ARDC, 60% of 650 were adolescent from 16-21 years of age. In CIFW, 38% of 3,390 were women from 16 and up. In AMKC, 51% of 7,240 of the adult male detainees were Hispanics.

These health services are afforded to all individuals who are remanded to us. What most often times creates a problem in the provision of a complete detoxification and/or referral is that because of the nature of our detention system one person can be admitted for detoxification one day and be bailed out the next. This happens particularly with non-sentenced inmates.

We are constantly evaluating our system for the improvement of services provided by the Department of Correction to inmates. It is also important to note that the Department is in the process of developing an extensive drug awareness and identification program which will reach every individual within the Department. This effort is being coordinated in conjunction with the State Division for Substance Abuse Services.

Recommendation 3. That the City and State Departments of Health institute experimental programs to significantly expand drug-free treatment alternatives for heroin addiction which remains cognizant of cost limitations.

The City Department of Health and the Office of The Criminal Justice Coordinator are working closely in this area. The expansion of drug-free treatment alternatives is being studied by the drug abuse task force signed into law in November (See discussion below.) It should be clear, however, that the obligation to provide services to drug abusers is a state obligation and the city does not intend to provide services that would duplicate or substitute for the obligation of the state to provide adequate services. To do so would mean reducing monies the City desperately needs to provide essential services for which it has the obligation in another area.

Recommendation 4. That the Mayor propose legislation to ensure that assets seized from drug dealers in post-conviction forfeiture actions be divided in similar fashion to those in pre-conviction forfeiture actions.

With respect to asset forfeiture actions, the City takes the position that the law, recently enacted, has not yet produced any significant results, in part because administrative procedures had to be established and prosecutors had to develop an understanding of its provisions and acquire experience in bringing successful actions. We believe we will begin to see greater productivity in 1987. However, from an understanding of the legislative debates and negotiations that led to the asset forfeiture law (it was passed in two substantially different forms in two successive years), it is our judgment that amendments should not be sought during this legislative session. In our judgment, neither the Legislature nor the Governor would be receptive now. We need to evaluate how the existing law is being enforced before we seek to change it.

Recommendation 5. That the Board of Education and the City evaluate on an annual basis the implementation of all drug prevention programs in the schools to ensure that they in fact, produce positive results, and do not encourage experimentation with drugs.

We agree that the drug education programs offered in City schools must be closely scrutinized and evaluated to assess their effectiveness. This would include the School Program to Educate and Control Drug Abuse (SPECDA) as well as programs developed by local school districts. The best vehicle to accomplish this is the task force established by Board President Robert Wagner and Mayor Koch which is chaired by the Criminal Justice Coordinator Kevin Frawley and Chancellor Nathan Quinones. The task force began meeting in September to focus on drug law enforcement strategies in the new school year; the Chancellor and the Coordinator met recently to plan for the second semester. This group will soon be merged into a larger effort which is discussed in more detail below.

Recommendation 6. That the City lobby the State to expand funding to treatment centers for cocaine and crack users in order to accommodate those on waiting lists.

This recommendation has been addressed in Mayor Koch letter to the Governor described earlier and will continue to be a high priority for Commissioner Joseph and the Criminal Justice Coordinator Frawley.

Recommendation 7. That the Mayor create a working group of law enforcement officials, health specialists, substance abuse treatment experts and other relevant professionals to monitor the adequacy of the appropriation of State funds for drug treatment and prevention, and to advise the Mayor on tactics to enhance treatment efforts in the City.

The Mayor and the City Council have exceeded the scope of this recommendation by creating a task force under a statute signed into law in November. According to this local law, the Criminal Justice Coordinator is the Chair of this group which will include not only representatives from City agencies but also district attorneys, judges, state officials from the Governor's office and DSAS, and private citizens, such as representatives of drug treatment programs and other experts in this area. The agenda for this task force is being developed with input from the participants; the Hispanic Commission is also welcome to offer suggestions to the Coordinator. He will incorporate the recommendations made in the Report of the Commission on Hispanic Concerns in the work of the task force.

Recommendation 8. That the City continue to urge the federal government to modify the Posse Comitatus doctrine which restricts the use of the military in civilian law enforcement for the purpose of drug interdiction by the United States military at the borders.

Amendment of Posse Comitatus has been and will be a priority of this Administration. While we were not successful last year in persuading the Senate to adopt the Bennett Amendment which provides for expanded involvement of the military in drug interdiction outside our borders, this amendment was approved overwhelmingly by the House of Representatives and we will continue to press for its adoption by the Senate this year.

Recommendation 9. That the City lobby Federal legislators to redraft the provisions of the Act which restrict United States aid to any country involved as a primary world supplier of drugs.

With respect to restrictions of foreign aid to drug-producing countries, the Federal Omnibus Drug law of 1986 did strengthen existing law to require an annual report by the President to the Congress on the adequacy of efforts made by such countries to control the production and export of illicit narcotic substances. This was an important measure in that it improved the law previously enacted in the early 1970's which was ridiculed as being totally ineffective and ignored by President Reagan and his predecessors. We believe that the federal law must be tougher and that it should cut off aid totally to drug-producing countries that are not actively engaged in crop eradication programs. Thus, the policy of this Administration is that the federal restrictions do not go far enough. Nevertheless, the Omnibus Drug Law has only been in effect for three months. We should wait at least one year to see if the Administration complies in good faith with the newly-enhanced foreign aid provisions. In our judgment, we do not believe that Congress would seriously entertain amendments to the foreign aid sections of the Omnibus Drug Law without giving the President an opportunity to enforce it in its present form.

VICTIM SERVICES

Recommendation 10. That the Police Department mandate officers to distribute the bilingual Crime Victim's Hotline Card to all victims of crime. The card serves to put all victims in contact with the wide variety of services offered by Victim Services Agency. The failure to do so must be deemed a violation of the Patrol Guide by the Department.

The City agrees that the Hothline Cards are very valuable to crime victims and should be given wide distribution. Last December VSA gave each precinct 900 bilingual hotline cards for distribution to crime victims. The Police Department has suggested that a better technique is to print bilingual hotline cards in a tear-off format that will fit in police officers' memo books and be easier for the police to use. VSA is working with the Police Department to insure that police officers do, in fact, give crime victims the hotline card. During the last six months, almost 10 percent of the persons who used VSA community offices were referred from police officers.

Recommendation 11. That the City increase its funding of the School Victim's Assistance Project so that the Victim Services Agency can expand the program to those predominantly Hispanic schools with the highest incidence of crime.

The School Victim's Assistance Project has trained junior high school and intermediate school students in crime prevention as well as offering direct services to victimized youth. We will seek to replicate the School Victim's Assistance Project in an additional school district. VSA has identified a number of school districts that are predominantly Hispanic, have a high incidence of crime and are near a VSA office. Because school district approval and financial support are required, VSA and the Board of Education must first determine which district would meet these criteria.

Recommendation 12. That the City lobby the State Commissioner of Social Services for an extension of the 90-day limitation on length of stay in shelters for battered women, explore alternative shelters for these women, and find a way to help them to reclaim their homes.

VSA endorses extending the 90 day limitation on length of stay for battered women by waiver for the remainder of this fiscal year. Working with the Inter-Agency Task Force on Domestic Violence, VSA will develop standard criteria for the waiver proceedings. The city is also studying long-term solutions to the length of stay limitations including additional appropriations for a greater number of beds.

Recommendation 13. That broader dissemination of information within the Hispanic community regarding the rights of battered women be a priority. This can be done by public service announcements in Spanish utilizing radio, television, and the printed media.

VSA fully supports the Commission's recommendation and agrees to increase efforts within Hispanic communities to publicize the rights of battered women. During Victim's Rights Week in April, VSA will sponsor a conference to inform Hispanic leaders about VSA services to victims of crime and, in particular, to victims of domestic violence. VSA is planning to run Public Service Announcements (PSAs) on Spanish-speaking radio stations advertising services to battered women (emphasizing that undocumented individuals will not be reported to the Immigration and Naturalization Service).

The Commission's report also recommends that television PSAs be produced and aired on the rights of battered women. Again, VSA fully supports this suggestion and would be happy to use our public affairs staff to develop such a PSA in conjunction with a high caliber advertising firm and producer. VSA will explore the feasibility of producing such a PSA at lower cost and with pro bono assistance.

VSA will also continue to provide bilingual speakers to Hispanic community groups on the rights of battered women and the services available to them. In addition, the Agency will develop a bilingual poster campaign on VSA services to crime victims.

Recommendation 14. That VSA's Domestic Violence Prevention Program be expanded to more Hispanic communities.

Again, VSA supports the Commission for recognizing the need to reach out to battered women when they first seek police intervention. The Domestic Violence Prevention Program (DVPP), which provides crisis intervention services and information and referral for battered women, could be easily replicated in other precincts. As recommended, the Police Department and VSA have agreed to expand DVPP to the 23rd precinct which is about 47 percent Hispanic.

Recommendation 15. That the bilingual Precinct Receptionist Program be expanded to each precinct with a Hispanic population of at least ten percent.

The Police Department agrees that bilingual precinct receptionists have been an important link between the police and the community. Nine precincts with a Hispanic population of at least ten percent currently have Spanish speaking receptionists. This program will be expanded to include all precincts that have a Hispanic population of at least 30 percent. Under this expansion, the Police Department will add 13 additional precincts to the program for a total of 22 precincts with a bilingual receptionist.

POLICE OFFICERS

Recommendations 16-17. Concrete steps must be taken to address concerns of Hispanic police officers as to the fairness of entrance and promotional examinations. That the Department of Personnel and the Police Department continue in their efforts to devise entry-level and promotional examinations that are job-related. The Commission recommends that modern methods of assessing skills for promotional purposes be explored. In addition, the Police Department should provide those who take the exam with a reading list of materials actually used to devise the examination rather than the current long, and often unfocused, list of recommended reading.

The Police Department concurs with the Commission's recommendation that the City should continue in its efforts to develop the most appropriate job related entry level and promotional exams. The Commission recommends a concise reading list for the testing of technical job related knowledge. The Police Department will work with the Department of Personnel to develop shorter, more focused reading lists for promotional exams.

Beyond the testing process, the Commission recommends the use of assessment centers for promotion to lieutenant and captain. The Police Department has been moving toward the assessment center model. The recommendation is currently under review in connection with the report of the Mayor's Advisory Committee on Police Management and Personnel Policy. In fact, a similar model was used for the selection of the first class of cadets for the Police Cadet Corps. In addition, recent promotion exams have included interactive components which measure oral skills and decision-making ability. We plan to go beyond that, however, and develop full scale assessment centers for promotion to the middle management ranks. Preliminary estimates of the costs of such a program, excluding fringe benefits, participant salaries, and

facility costs, are $1.9 million a year. The Police Department, the Office of Management and Budget and the Department of Personnel are reviewing this proposal in the context of the report of the Police Advisory Committee.

Recommendation 18. That, to increase the likelihood of more Hispanics becoming police officers, additional points on civil service exams be awarded to New York City residents.

It is the City's preliminary view that state legislation would be required to award additional points on civil service exams to New York City residents. A strategic judgment would be needed to decide whether awarding additional points is a valid compromise from the City's traditional position that all future police officers be required to live in New York City. We are also considering this recommendation in the Context of the report of the Police Advisory Committee.

Recommendation 19. That present psychological screening practices be reviewed to understand why such a significant number of Hispanics are being rejected on this basis and so that all cultural biases be eliminated from such procedures.

The Police Department agrees that the present psychological screening practices should be reviewed. The Department has already hired a research psychologist to conduct a thorough validation study of the entire psychological screening process.

Recommendation 20. That, given the ongoing critical need for Spanish-speaking police officers, additional points be awarded to applicants on promotional examinations who are orally competent in Spanish.

As recommended by the Commission, a Language Services Coordinator will be appointed at the Mayor's Office of Operations. The Police Department will be required (as will all agencies) to determine the best way to provide police services to citizens whose first language is not English. Implementation of this recommendation will await the development of the Citywide Language Services Plans. It should also be noted that this recommendation has also been made by the Police Advisory Committee and will e considered in that connection.

Recommendation 21. That Police Department recruitment efforts for Hispanics be continued and significantly expanded to include New York City schools with significant minority enrollment.

The Police Department is in full agreement with this recommendation and already recruits in schools with significant minority enrollment. We will continue our efforts and hope to expand them.

Recommendation 1. That City agencies keep statistics on the background of their clients by racial/ethnic group and language spoken at home in order to know the exact proportion of Hispanics in City programs and services. Such records should be kept on in a manner which serve to enhance delivery services. Agencies should attempt to match actual client statistics with other available statistics on the target population for their service. If Hispanics are under-represented (or overrepresented), agencies should know why, and how modifications in their service delivery could effect the current situation.

We agree that the City should keep data on the ethnic, racial and demographic characteristics of the citizens who seek and receive City services. There are several reasons why such an approach is appropriate. In many cases, it is essential that City agencies determine whether the profile of clients being served matches the profile of the service eligible population. This can only be done if the data are accurately maintained and matched against the available information about the groups of people who are potentially eligible for the services. Second, in some cases a City agency might determine that a service approach or a type of programmatic intervention works well with one group of clients and less well with another. This cannot be determined without knowing the demographic background of the clientele.

Mayor Koch will send a memorandum to all agency heads asking them to determine whether information of this type is maintained by the agency and, if not, to develop a plan to ensure that appropriate demographic background data are kept and, more importantly, utilized to improve the delivery of services.

Recommendation 2. That agencies ensure that their Hispanic clients have equal access to all services. This equal access can be achieved through the effective use of bilingual staff, ad hoc interpreters, and translated printed materials.

These concerns are being addressed in the City's response to the Language Services recommendations (see below). In summary, each agency will be required to develop a Language Services Plan to ensure that services are delivered to those who do not use English as a first language.

Recommendation 3. Agencies should ensure that services, where appropriate, take into account the cultural background of the Hispanic clients.

The City agrees that, in appropriate cases, it is important for city agencies to be aware fo the cultural background of the agency's Hispanic clients. For example, in its response to the Commissions's Report, the Health and Hospital Corporation has instituted a cultural sensitivity training course for trainers and educators in every HHC facility. On a pilot basis, HHC is also instituting an intensified cultural sensitivity course for selected employees at Elmhurst Hospital. If this pilot is successful, HHC will consider expansion of the program throughout the entire HHC system. As part of the citywide language services project, the Language Service Coordinator within the Mayor's Office of Operations have the option of recommending to

appropriate agencies that they consider the development of similar cultural sensitivity programs.

Recommendation 4. That agencies provide more service directly to the Hispanic communities through contracts with Hispanic and technical assistance should be provided to assist Hispanic organizations to successfully bid and administer City contracts.

The City agrees that there should be increased use of Hispanic Community Based Organizations. Throughout this report, various agencies have responded that, as recommended by the Commission, they either have increased their use of Hispanic CBO's or intend to do so.

Recommendation 5. That all City boards and committees appoint more Hispanic members. Policy making bodies should reflect the composition of the target groups of the program or service.

The city will continue to make an effort, through affirmative outreach and aggressive recruitment, to increase the pool of minority individuals and women who are appointed to various boards and committees. The City has recently begun to work with a professional recruitment firm to assist in this effort. As is discussed in greater detail in the response to Recommendation 46 in the Education Chapter, the City does not support the notion that there should be proportionate representation on city policy-making boards and committees. Rather, as in the case with the Mayor's Judiciary Committee, the city has combined a merit-based selection process with aggressive outreach to underrepresented groups. In the case of judicial appointments, the result has been consistently high quality appointments that also reflect high levels of minority and female appointees.

Recommendation 6. That the City establish as a pilot project a Spanish information hotline - (212) HISPANO. The hotline would provide information on City services and refer callers to appropriate agencies.

The City agrees that there should be a pilot project that would establish a Hispanic services hotline. The appropriate location, staffing and focus of this service will be determined by the Language Services Coordinator after receiving agency Language Service plans.

Recommendation 7. That agencies increase their outreach and advertising efforts to inform the Hispanic communities of the services available to them. In particular, agencies should learn to use the Hispanic media through advertising, articles and community announcements.

We agree that there should be increased outreach to the Hispanic community to ensure that Hispanic citizens and organizations are aware of the variety of City services that are available to them. As has been demonstrated throughout this report, the City agencies have made significant progress in (1) translating materials into Spanish, (2) increasing the numbers of bilingual programs discussing the range of City services from economic development to pregnancy counseling, (3) increasing the use of Hispanic Community Based Organizations, and (4) hiring large numbers of Spanish-speaking staff to assist with the outreach effort.

Recommendation 8. That City agencies strengthen their contacts with Hispanic leaders and organizations.

Establishing good working relationship with Hispanic leaders and organizations is critical to the success at administrating the initiatives of this Report. The Mayor's Special Advisor for Hispanic Affairs is assigned this responsibility.

Recommendation 9. That the City have a weekly television program in Spanish on WNYC, or on a channel that is more accessible to viewing in all five boroughs, in which different City services are discussed.

WNYC agrees with the Commission that there is a need for increased Spanish-language programming on WNYC. At the current time, WNYC does broadcast a weekly half-hour Spanish-language program, called Presente, which contains dramatic presentations, entertainment and topics of interest to the Spanish community. WNYC also re-broadcasts Imagines/Images which is produced by New Jersey Public Television. This weekly half-hour show focuses on issues effecting the Hispanic Community in New Jersey. WNYC has also broadcast topical shows, such as Island Images, a program which focused on immigrants to the Untied States with particular emphasis on New York City. This program was funded by the New York and Puerto Rican Humanities Council.

In the future, WNYC intends to incorporate Spanish programming into the upcoming regular broadcast budget request and the upcoming budget request for WNYC Cable. Although it will take a number of years for the city to be wired in a cable-TV system, WNYC would like to see that the system include Spanish-language programming on city services.

Recommendation 1. That the Mayor direct all City agencies providing substantial public contact service, to submit to him by January 1988 a Language Services Plan outlining the mechanisms by which agencies will ensure that limited English speaking Hispanics have equal access to its services.

Recommendation 2. That a Language Services Coordinator be appointed in the Mayor's Office of Operations to coordinate and monitor the agencies' Language Services Plans and other City language service efforts.

Recommendation 3. That legislation be introduced mandating the use of language services in City agencies.

Recommendation 4. That the basis for the Language Services Plans be the proposed Guidelines for the Use of Spanish Bilingual Staff, Ad Hoc Interpreters, and Translators in NYC Agencies. The Guidelines set out the minimum procedures for agencies' language services.

Recommendation 5. That Spanish-speaking candidates for employment be given priority in hiring for all public contact job titles in City agencies.

Recommendation 6. That other City employees, not in public contact titles but who are willing and able to interpret or translate for clients and other workers, be paid a Language Bonus of up to $1,500 per annual in exchange for out-of-title ad hoc interpreting and translating.

Recommendation 7. That all persons providing language services for the City be tested for their language skills and trained in interpreting and translating techniques.

Recommendation 8. That all Spanish-language translations used by City agencies be regularly reviewed to ensure that they comply with the minimum standards set out in the Guidelines.

The City of New York has an obligation to ensure that all people with limited English speaking ability have access to City services. In order to provide public assistance benefits, enforcement services, health care and many other services, it is essential that language not be a barrier.

While the obligation to provide these services is clear, the appropriate ways of reaching this goal must be carefully considered and alternatives evaluated. Bilingual personnel, agency interpreters, a pool of citywide interpreters, language bonuses, selective certification and parenthetic titles are a few of the ways this obligation might be achieved.

As recommended by the Commission, the City will appoint a Language Service Coordinator who will work in the Mayor's Office of Operations in the Citywide Services Unit and a language service officer will be designated in each agency that provides substantial public contact services. The Coordinator will be assigned appropriate staff to carry out the mandate

outlined in the Commission's Report. In conjunction with the language service officer the Coordinator will develop Language Services Plans that will ensure that people with limited English speaking ability have equal access to City services. The Coordinator will report to the Mayor by January 1988 on the agencies' plans and other City language service efforts.

Many innovative ideas for providing access to City services were presented in the Report. The proposed Guidelines for the Use of Spanish Bilingual Staff, Ad Hoc Interpreters and Translators in New York City Agencies will form the basis for the Language Service Coordinator's work. Every issue raised in the Guidelines will be addressed in the report to the Mayor.